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No. 46]

NEW DELHI, SATURDAY, NOVEMBER 12, 1988/KARTIKA 21, 1910

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as
a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-Section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए संविधिक आदेश और अधिसूचनाएं
Ministries of the Government of India (other than Statutory Orders and Notifications Issued by the
Ministry of Defence)

गृह मंत्रालय

वित्त मंत्रालय

(राजभाषा विभाग)

(राजस्व विभाग)

नई दिल्ली, 9 सितम्बर, 1988

नई दिल्ली, 5 अक्तूबर, 1988

का. अ. 3346.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उपनियम (4) के अनुसरण में वस्त्र मंत्रालय को, जिनके कर्मचारीवृंद ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. 12022/78/87-रा. भा. (ख-2)]

वी. अ. कोहली, उप सचिव

MINISTRY OF HOME AFFAIRS

(Department of Official Language)

New Delhi, the 9th September, 1988

S.O. 3346.—In pursuance of sub rule (4) of Rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notify the Ministry of Textiles the staff whereof have acquired the working knowledge of Hindi.

[No. 12022/78/87-OL (B.II)]

V. A. KOHLI, Deputy Secy.

आयकर

का. आ. 3347.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "श्री स्वामीनारायण मंदिर ट्रस्ट, अहमदाबाद" का कर-निर्धारण वर्ष 1986-87 से 1989-90 तक के लिए अधिसूचित करती है।

[सं. 8113/का. सं. 197/159/87-आ. क. (नि.-1)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 5th October, 1988

(INCOME-TAX)

S.O. 3347.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government

(4119)

Hereby notifies "Shri Swaminarayan Mandir Trust, Ahmedabad" for the purpose of the said sub-clause for the assessment years 1986-87 to 1989-90.

[No. 8113 (F. No. 197/159/87-IT(A1))]

का. आ. 3348.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उप-खंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखंड के प्रयोजनार्थ, "अरुलमिगु मंदिरा पुरीश्वरस्वामी टेम्पल, कोविलूर, मधुपेट" को कर-निर्धारण वर्ष 1987-88 से 1989-90 तक के लिए अधिनियमित करती है।

[सं. 8114/का. सं. 197/269/87-आ. व. (नि.-1)]

दलीप सिंह, विशेष कार्य अधिकारी

S.O. 3348.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Arulmigu Mandhirapureswaraswamy Temple, Kovilur, Muthupet" for the purpose of the said sub-clause for the assessment years 1987-88 to 1989-90.

[No. 8114 (F. No. 197/269/87-IT(A1))]

DALIP SINGH, Officer on Special Duty

(Department of Expenditure)

New Delhi, the 1st November, 1988

CORRIGENDUM

S.O. 3349.—In the Ministry of Finance (Department of Expenditure) Notification SO 2815 dated 13th September, 1988 published in the Gazette dated 24th September, 1988 notifying the appointing, disciplinary and appellate authorities under CCS (CCA) Rules, 1965 in respect of Group 'B', 'C' and 'D' posts in Indian Audit and Accounts Department.—

In the schedule, in Part-II.—

the letter 'C' should be inserted after the word 'Group' appearing in the heading.

[F. No. C-11021/2/88-E G.I.]

D.THYAGESWARAN, Under Secy.

(आर्थिक कार्य विभाग)

बीमा

नई दिल्ली, 31 अक्तूबर 1988

का.आ. 3350.—केन्द्रीय सरकार, साधारण बीमा कारबार (राष्ट्रीय करण) अधिनियम 1972 (1972 का 57) की धारा 35 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे की सारणी के स्तम्भ (2) में विनिर्दिष्ट अपवादों, निर्वन्धनों और परिसीमाओं को, ऐसे अपवादों, निर्वन्धनों और परिसीमाओं के रूप में विनिर्दिष्ट करती है जिनके अधीन रहते हुए, उक्त सारणी के स्तम्भ (1) की तत्स्थानी प्रविष्टि में विनिर्दिष्ट बीमा अधिनियम, 1938 (1938 का 4) के उपबन्ध प्रथम वर्णित अधिनियम की धारा 9 के अधीन गठित भारतीय साधारण बीमा निगम की या

उसके संबंध में और उक्त अधिनियम में यथा परिभाषित प्रत्येक अर्जक कम्पनी को लागू होंगे :—

सारणी

बीमा अधिनियम, 1938 की धारा	अपवाद, निर्वन्धन और परिसीमाएं
(1)	(2)

धारा 27ख (3) धारा 27ख की उपधारा (3) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—
“(3) उपधारा (1) में अन्तर्विष्ट ऐसी बात के होते हुए भी, बीमा कर्ता अगली परवर्ती उप-धाराओं में अन्तर्विष्ट उपबन्धों के अधीन रहते हुए, उप-धारा (1) में विनिर्दिष्ट किसी अनु-मोदित विनिधान में से अन्यथा अपनी आस्तियों के किसी भाग का विनिधान कर सकेगा या विनिर्दिष्ट रख सकेगा, यदि

(i) ऐसे विधाम के पश्चात् बीमा कर्ता के ऐसे सभी विनिधानों की कुल रकम उसकी आस्तियों के पच्चीस प्रतिशत से अधिक नहीं होती है, और

(ii) विनिधान किया जाता है, या पहले ही कर दिए गए विनिधान की दशा में ऐसे विनिधान का बना रहता ऐसी विनिधान समिति की, जिसका गठन उक्त बीमा कर्ता के निदेशक-बोर्ड द्वारा किया गया है, सर्वसम्मत सिफारिश पर निर्भर करता है, या ऐसे संकल्प पर निर्भर करता है, जो उक्त बीमा कर्ता के निदेशक-बोर्ड की बैठक में उपस्थित निदेशकों के तीन-चौथाई में अन्यून के बहुमत द्वारा पारित किया गया है।

1	2
	परन्तु यह कि--
(क)	विनिधान समिति गठित करने में, बोर्ड, ऐसी कुल रकम, जिस तक उक्त समिति अपनी शक्तियों का प्रयोग कर सकेगी और ऐसे विनिधान की प्रकृति, विनिदिष्ट करेगा;
(ख)	कोई सिकारिश करने में, उक्त समिति ऐसी शर्तों और निर्बंधनों के अधीन रहते हुए अपनी शक्तियों का प्रयोग करेगी, जो बोर्ड द्वारा अधिरोपित की जाएं।

[फा. सं. 133(8)/वि.नी. 85]

[एन. आर. रंगनाथन, अपर सचिव (बीमा)]

(Department of Economic Affairs)

INSURANCE

New Delhi, the 31st October, 1988.

S.O. 3350.—In exercise of the powers conferred by section 35 of the General Insurance Business (Nationalisation) Act, 1972 (57 of 1972), the Central Government hereby specifies the exceptions, restriction and limitations specified in column (2) of the Table below subject to which the provisions of the Insurance Act, 1938 (4 of 1938), specified in the corresponding entry in column (1) of the said Table, shall apply to or in relation to the General Insurance Corporation of India formed under section 9 of the first mentioned Act and to every acquiring company as defined in the said Act :—

TABLE

Section of Insurance Act, 1938	Exceptions, restrictions and limitations
(1)	(2)
Section 27B(3)	For sub-section (3) of section 27B, the following shall be substituted, namely :— “(1) Notwithstanding anything contained in sub-section (1), the insurer may, subject to the provisions contained in the next succeeding sub-sections, invest or keep invested any part of its assets otherwise than in an approved investment specified in sub-section (1), if— (i) after such investment, the total amounts of all such investments of the insurer do not exceed twenty-five per cent of his assets, and

1	2
	(ii) the investment is made, or, in the case of an investment already made, the continuance of such investment is on the unanimous recommendation of the Investment Committee constituted by the Board of Directors of the said insurer, or on a resolution passed by a majority of not less than three-fourths of the Directors present at a meeting of the Board of Directors of the said insurer ;
	Provided that—
(a)	in constituting the Investment Committee, the Board shall specify the total amount upto which the said Committee may exercise its powers and the nature of such investment;
(b)	In making any recommendation, the said Committee shall exercise its powers subject to such conditions or restrictions as may be imposed by the Board.”

[F.No.133(3)/Inv.85]

N. R. RANGANATHAN Add. Secy. (Insurance)

(बैंकिंग प्रभाग)

नई दिल्ली, 27 सितम्बर, 1988

फा. आ. 3351.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार डा. उमेश राय को जिनको धारा 11 का उपधारा (1) के तहत गिरिडीह क्षेत्रीय ग्रामीण बैंक, गिरिडीह के अध्यक्ष के रूप में नियुक्ति को तीन वर्ष और 9 महीने को पहला अवधि 31-3-88 को समाप्त हो गया है, 1-4-88 से प्रारंभ होकर 19-7-88 को समाप्त होने वाला अवधि के लिए उक्त बैंक का पुनः अध्यक्ष नियुक्त करती है।

[संख्या एक. 2/17/88--प्रार. आर. वॉ.]

(Banking Division)

New Delhi, the 27th September, 1988

S.O. 3351.—In exercise of the powers conferred by sub-section (2) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby re-appoints Dr. Umesh Rai whose earlier tenure of three years & nine months appointment under sub-section (1) of section 11 had expired on 31-3-88 as the Chairman of Giridih Kshetriya Gramin Bank, Giridih for a further period commencing from 1-4-88 and ending with 19-7-88.

[No. F. 2/17/88-RRB]

फा. आ. 3352.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार

एतद्वारा श्री भगवन्त सिंह को गिरिडोह औद्योगिक प्रामोण बैंक, गिरिडोह का अध्यक्ष नियुक्त करती है तथा 20-7-88 से प्रारम्भ होकर 31-7-1991 का समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री सिंह अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एक. 2-17/88-आर आर बी]

वी. बी. माथुर, अवर सचिव

S.O. 3352.—In exercise of the powers conferred by sub-section (1) of Section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri Bhagwant Singh as the Chairman of the Giridih Kshetriya Gramin Bank, Giridih and specifies the period commencing on the 20-7-88 and ending with the 31-7-91 as the period for which the said Shri Singh shall hold office as Chairman.

[No. F. 2-17/88-RRB]

V. B. MATHUR, Under Secy.

नई दिल्ली, 26 अक्टूबर, 1988

का. आ. 3353.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबन्ध जामनगर डिस्ट्रिक्ट कोऑपरेटिव बैंक लि., जामनगर (गुजरात राज्य) पर इस अधिसूचना के राजपत्र में प्रकाशित होने की तारीख से 31 दिसम्बर, 1989 तक लागू नहीं होंगे।

[संख्या एक-8/2/88-ए० सी.]

प्रवीण कुमार तेजयान, अवर सचिव

New Delhi, the 26th October, 1988

S.O. 3353.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section (1) of Section 11 of the said Act shall not apply to the Jamnagar District Cooperative Bank Ltd., Jamnagar (Gujarat State) from the date of publication of this notification in the official Gazette of 31 December 1989

[F. No. 8/2/88-AC]

P. K. TEJYAN, Under Secy.

नई दिल्ली, 28 अक्टूबर, 1988

आदेश

का. आ. 3354.—औद्योगिक वित्त निगम अधिनियम, 1948 (1948 का 15) की धारा 23 के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय औद्योगिक विकास बैंक की सिफारिश से एतद्वारा भारतीय औद्योगिक वित्त निगम को भारतीय औद्योगिक विकास बैंक अधिनियम, 1964 की धारा 3 के अधीन स्थापित भारतीय औद्योगिक विकास बैंक, भारतीय कम्पनी अधिनियम, 1913 के अधीन गठित और पंजीकृत भारतीय

औद्योगिक ऋण तथा निवेश निगम लिमिटेड और औद्योगिक वित्त निगम अधिनियम, 1948 की धारा 3 के अधीन स्थापित भारतीय औद्योगिक वित्त निगम अथवा उन सरकार द्वारा इस प्रयोजन के लिए अनुमोदित किसी अन्य संस्था में लिए जाने वाले विदेशी मुद्रा ऋणों के उधारकर्ताओं को विनियम जोखिम कवच प्रदान करने की योजना चलाने के वास्ते प्राधिकृत करती है।

[एक. संख्या 10/41/88—आई. एक-1]

New Delhi, the 28th October, 1988

ORDERS

S.O. 3354.—In exercise of the powers conferred by clause (o) of section 23 of the Industrial Finance Corporation Act, 1948 (15 of 1948), the Central Government, on the recommendation of the Industrial Development Bank of India, hereby authorises the Industrial Finance Corporation of India to operate a Scheme for providing exchange risk cover to borrowers of foreign currency loans from the Industrial Development Bank of India, established under section 3 of the Industrial Development Bank of India Act, 1964, the Industrial Credit and Investment Corporation of India Limited formed and registered under the Indian Companies Act, 1913 and the Industrial Finance Corporation of India, established under section 3 of the Industrial Finance Corporation Act, 1948 or any other institution approved by that Government in this behalf.

[F. No. 10/41/88-IF.I]

का. आ. 3355.—भारतीय औद्योगिक विकास बैंक अधिनियम, 1964 (1964 का 18) की धारा 9 की उपधारा (1) के खण्ड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा भारतीय औद्योगिक विकास बैंक अधिनियम, 1964 की धारा 3 के अधीन स्थापित भारतीय औद्योगिक विकास बैंक, भारतीय कम्पनी अधिनियम 1913 के अधीन गठित और पंजीकृत भारतीय औद्योगिक ऋण तथा निवेश निगम लिमिटेड और औद्योगिक वित्त निगम अधिनियम, 1948 की धारा 3 के अधीन स्थापित भारतीय औद्योगिक वित्त निगम अथवा उन सरकार द्वारा इस प्रयोजन के लिए अनुमोदित किसी अन्य संस्था से लिए जाने वाले विदेशी मुद्रा ऋणों के उधारकर्ताओं को विनियम जोखिम कवच प्रदान करने की योजना चलाने के वास्ते भारतीय औद्योगिक विकास बैंक को प्राधिकृत करती है।

[एक संख्या 10/41/88—आई. एक-1]

प्रेम कुमार मलहोत्रा, अवर सचिव

S.O. 3355.—In exercise of the powers conferred by clause (m) of sub-section (1) of Section 9 of the Industrial Development Bank of India Act, 1964 (18 of 1964), the Central Government hereby authorises the Industrial Development Bank of India to operate a Scheme for providing exchange risk cover to borrowers of foreign currency loans from the Industrial Development Bank of India, established under section 3 of the Industrial Development Bank of India Act, 1964, the Industrial Credit and Investment Corporation of India Limited formed and registered under the

Indian Companies Act, 1913 and the Industrial Finance Corporation of India, established under section 3 of the Industrial Finance Corporation Act, 1948 or any other institution approved by that Government in this behalf.

[F. No. 10/41/88-IF.I]

P. K. MALHOTRA, Under Secy.

वाणिज्य मंत्रालय

नई दिल्ली, 5 नवम्बर, 1988

का. आ. 3356.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उप-धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मैसर्स जे. बी. बोडा सर्वेयर्स प्राइवेट लिमिटेड, "अरिहन्त क्रीपा", पंडित नेहरू मार्ग, जामनगर-361002 पर स्थित शाखा को भी इसमें संलग्न अनुसूची में विनिर्दिष्ट के अनुसार खनिज तथा अवस्कों के निर्यात से पूर्व निरीक्षण करने के लिए अभिकरण के रूप में एक और वर्ष की अवधि के लिए मान्यता देती है :—

अनुसूची

1. निस्तप्त बोक्साइट सहित बोक्साइट,
2. मैंगनीज डायक्साइड,
3. परिदग्ध और निस्तप्त मंगनेसाइट सहित मैंगनेसाइट,
4. बैराइट्स,
5. लाल ओक्साइड,
6. पीला गैरिक ।

[फाइल सं. 5(1)/86-ई आई एण्ड ई पी]

MINISTRY OF COMMERCE

New Delhi, the 5th November, 1988

S.O. 3356.—In exercise of powers conferred by Sub-section (i) of Section 7 of the Export (Quality Control & Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a period of one year from the date of publication of this notification M/s. J. B. Boda Surveyors Pvt. Ltd. "Arihant Kripa" Pandit Nehru Marg, Jamnagar-361002, as an agency for the inspection of Minerals & Ores as specified in Schedule annexed hereto prior to export.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 26 अक्तूबर, 1988

का. आ. 3358.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में गंधार से धुवागण तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा विछाई जानी चाहिए ।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को विछाने के प्रयाजन के लिए एतदुपलब्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है ।

यद्यपि कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप, सभ्रम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, भकरपुरा रोड, बराहदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

SCHEDULE

1. Bauxite, including calcined bauxite.
2. Manganese Dioxide.
3. Magnesite, including dead burnt and calcined magnesite.
4. Barytes.
5. Red Oxide.
6. Yellow Ochre.

[F. No. 5(1)/86-EI&EP]

नई दिल्ली, 12 नवम्बर, 1988

का. आ. 3357.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उप-धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एम. जी. एस. इंडिया प्राइवेट, फोरशोर रोड, काकीनाडा-533001 (पूर्वी गोदावरी जिला) आन्ध्र प्रदेश को जिनका रजिस्ट्रीकृत कार्यालय 35 मुरबन रोड, पोस्ट बॉक्स नं. 508, बम्बई-400001 में स्थित है निम्नलिखित मदों के धूसीकरण के लिए अभिकरण के रूप में एक और वर्ष की अवधि के लिए मान्यता देती है :—

1. तेज रहित चावल की भूसी, और
2. हड्डी का चूरा, खुर तथा सींग ।

[फाइल सं. 5(7)/87-ई आई एण्ड ई पी]

एन. एस. हरिहरन, निदेशक

New Delhi, the 12th November, 1988

S.O. 3357.—In exercise of the powers conferred by Sub-section (1) of section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a period of one year from the date of publication of this notification M/s. SGS India Pvt. Ltd., Foreshore Road, Kakinada-533001 (East Godavari District), Andhra Pradesh, having their registered office at 35, Mureban Road, Post Box No. 508 Bombay-400001 as an agency for the fumigation of following items :—

1. De-oiled Rice Bran; and
2. Crushed Bones. Hooves and Horns.

[F. No. 5(7)/87-EI&EP]

N. S. HARIHARAN, Director

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफ़त।

अनुसूची

गंधार से धुवारन तक पाइप लाईन बिछाने के लिए

राज्य : गुजरात जिला : भरुच तालुका : जंबूसर

गाँव	ब्लॉक न०	हेक्टेयर	आर	सेन्टीयर
मगनाद	874	0	06	84

[सं. 1102788/171/88 ओ एन जी -डी III]

के. विवेकानन्द, डेस्क अधिकारी

MINISTRY OF PETROLEUM & NATURAL GAS

New Delhi, the 26th October, 1988

S.O. 3358.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Gandhar to Dhuvaran in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline From Gandhar to Dhuvaran

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hectare	Are	Centiare
Magnad	874	0	06	84

[N. O 1102788/171/33-ONG D III]
K. VIVEKANAND, Desk Officer

नई दिल्ली 27 अक्टूबर, 1988

का. आ. 3359—यतः केन्द्रीय सरकार का यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा से जगदीशपुर तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अथ पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50 की धारा 3 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि., विकासदीप बिल्डिंग, 22, स्टेशन रोड, लखनऊ-226019 यू. पी. को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफ़त।

अनुसूची बाद अनुसूची

एम्. वी. जे. गैस पाइप लाईन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा नं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
बदायूँ	बिसौली	बिसौली	फातेहपुर	585	0-2-0	
			विरमपुर	586	0-13-0	
				222	0-15-0	
				223	0-1-10	
				590	1-7-0	
				215	1-2-0	
				209	0-8-12	
				224	0-3-10	
				8	4-12-12	

[सं. O-14016/469/85-जी.पी.]

New Delhi, the 27th October, 1988

S.O. 3359.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas from Hazira to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals

Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Project, Vikas-deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)
H.B.J. Gas Pipeline Project

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Badaun	Blesauli	Besaoli	Fatahapur	585	0-2-0	
			Veerampur	586	0-13-0	
				222	0-15-0	
				223	0-1-10	
				590	1-7-0	
				215	1-2-0	
				209	0-8-12	
				224	0-3-10	
				8	4-12-12	

[No. O-14016/469/85-G.P.]

का. आ. 3360—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि हजीरा से उत्तर प्रदेश में जगदीशपुर तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइप लाईन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाईनों को बिछाने का प्रयोजन के लिए एनदपावख अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतःअब पेट्रोलियम अर खनिज पाइप लाईन (भूमि में उपयोग अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हिनब्रद कोई व्यक्ति उक्त भूमि के नीचे पाइप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकारण लि., विकासदीप बिल्डिंग, 22, स्टेशन रोड, लखनऊ-22019 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिदिष्टव्या यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूचक बाद अनुसूची

एच. बी. जे. पाइप लाईन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्र फुट	विवरण
1	2	3	4	5	6	7
बदायूं	बिसौली	बिसौली	निजरा	121	0-1-4	
				124	0-2-0	
				126	0-5-0	
				122	0-8-0	
				123	0-2-10	
				127	0-14-15	
				182	0-1-15	
				199	0-1-15	
				128	0-11-0	
				64	0-1-14	
				10	2-12-13	

[सं. O-14016/371/85-जी.पी.]

S.O. 3360.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas from Hazira to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Project, Vikas-deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipeline Project

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Badaun	Besaoli	Besaoli	Nizra	121	0-1-4	
				124	0-2-0	
				126	0-5-0	
				122	0-8-0	
				123	0-2-10	
				127	0-14-15	
				182	0-1-15	
				199	0-1-15	
				128	0-11-0	
				64	0-1-14	
				10	2-12-13	

[No. O-14016/371/85-G.P.]

का. प्रा. 3361—अतः पेट्रोलियम और खनिज पाईप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962, (1962 का 50, की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का . शा. सं. तारीख 435/ 25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाईप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूचक बाद अनुसूची

एच. पी. जै. गैस पाईप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	अकबरपुर	अकबरपुर	हसनपुर	391	0-4-0	
				564	0-3-12	
				582	0-4-0	

[सं. O-14016/191/84—जी.पी.]

S. O. 3361.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 435 dated 25-4-88 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of powers conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe line Project

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Kanpurdehat	Akbarpur	Akbarpur	Hasanapur	391	0-4-0	
				564	0-3-12	
				582	0-4-0	

[No.O-14016/191/84-G.P.]

का. आ. 3362—जहाँ पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का आ. सं. 429 तारीख 25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाईप लाईनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में धोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूचक वाद अनुसूची

एच. बी. जे. गैस पाईप लाईन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	अकबर पुर	अकबर पुर	तिगई	1373	0-2-0	
				1427	0-2-15	
				1375	0-4-0	
				1393	0-4-0	
				4	0-12-15	

[सं. O-14016/192/84 जी. पो.]

S. O. 3362.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 429 dated 25-4-88 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe line Project

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Kanpurdehat	Akbarpur	Akbarpur	Tigai	1373	0-2-0	
				1427	0-2-15	
				1375	0-4-0	
				1393	0-4-0	
				4	0-12-15	

[No. O 14016/192/84.-G.P.]

का. प्रा. 3363.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 उपधारा (1) के अर्थात् भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का. आ. सं. 446 तारीख 25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः संलग्न प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अर्थात् सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुपूरक वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	अकबरपुर	अकबरपुर	करबक	892	0-6-0	
				942	0-3-0	
				941	0-5-0	
				3	0-14-0	

[सं. O-14016/196/84-जी. पी.]

S.O. 3363.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 446 dated 25-4-88 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tehsil	Pargana	Village	Plot No.	Areas in acres	Remark
1	2	3	4	5	6	7
Kanpurdehat	Akbarpur	Akbarpur	Karbak	892	0-6-0	
				942	0-3-0	
				941	0-5-0	
				3	0-14-0	

[No. O-14016/196/84-G.P.]

का. आ. 3364:—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का.आ.सं. तारीख 428/25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुपूरक बाद अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	अकबरपुर	अकबरपुर	पुर	27	0-3-0	
				281/945	0-2-10	
				24	0-7-0	
				293	0-6-0	
				28	0-7-0	
				25	0-5-0	
				6	1-10-10	

[स. O-14016/393/84-जीपी]

S. O. 3364.—Whereas by notification of the Government of India in the Ministry of Petroleum S. O. 428 dated 25-4-88 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962)), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Project

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Kanpurdehat	Akbarpur	Akbarpur	Pur	24	0-3-0	
				281	0-2-10	
				945		
				24	0-7-0	
				293	0-6-0	
				28	0-7-0	
				25	0-5-0	
				6	1-10-10	

[No. O-14016/393/84-G.P.]

का.आ. 3365 :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 उपधारा (1) के अन्तर्गत भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का.आ.सं. तारीख 436/25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आग्रह घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अन्तर्गत सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करती के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के वक्ता भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुपूरक बाद अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परागना	ग्राम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	डेरपुर	डेरपुर	ररोख	430	0-6-8	
				259	0-4-12	
				273	0-5-0	
					0-16-0	

[स. O-14016/407/84-जीपी]

S. O. 3365.—Whereas by notification of the Government of India in the Ministry of Petroleum S. O. 436 dated 25-4-88 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Project

District	Tehsil	Pargana	Village	Plot No.	Area in acers	Remark
1	2	3	4	5	6	7
Kannurdehat	Derapur	Derapur	Rarokh	430	0-6-8	
				259	0-4-12	
				273	0-5-0	
					0-16-0	

[No. O-14016/407/84-G.P.]

का. आ. 3366.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का.आ.सं. तारीख 437-ई/25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्-द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूचक बाद अनुसूची
एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	काम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
जालौन	कोंच	कोंच	टोपोर	63	0-8	
				64	0-31	

[सं. O-14016/307/84-जीपी]

S. O. 3366.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 437(E) dt. 25-4-88 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Jalaun	Konch	Konch	Topor	63	0.8	
				64	0.31	

[No. O-14016/307/84. -G.P.]

का. आ. 3367.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) (अधिनियम 1962) (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का.आ.सं. तारीख 424(ई)/25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुपूरक वाद अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा स.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
जालौन	जालौन	जालौन	चाकी	182	0-05	

[सं. O-14016/432/84-जीपी]

S. O. 3367.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 424(E) dt. 25-4-88 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remark
1	2	3	4	5	6	7
Jalaun	Jalaun	Jalaun	Chaki	182	0-15	

[No. O-14016/432/84-G.P.]

का. भा. 3368.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अधिनियम 1962) (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का.भा.सं. तारीख 440/25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आणव्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के लिये एतद् द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में बोधना के प्रकाशन की इस तारीख की तिथि होगा।

अनुसूचक चार अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	डेरपुर	डेरपुर	बिसोहा	963	0-3-0	

(सं. O-14016/417/84-जीपी)

S. O. 3368.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 440 dated 25-4-88 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Arrea in Big.	Remarks
1	2	3	4	5	6	7
Kanpur Dehat	Derapur	Derapur	Bisoaha	963	030	

[No. O-14016/417/84-G.P.]

का. अं. 3369—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का.अ.सं. तारीख 416/ई/25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना प्राण्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुपूरक बाद अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
जालौन	कोंच	कोंच	कल्यानपुर	15	30	

[सं. ओ-14016/178/84-जीपी]

S.O. 3369.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 416(E) dt. 25-4-88 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acers	Remarks
1	2	3	4	5	6	7
Jailon	Konch	Konch	Kallyan Pur	15	20	

[No. O-14016/178/84 G.P.]

का. आ. 3370.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अधिनियम) (अधिनियम 1962) (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का.आ.सं. तारीख 446/25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूचक वाद अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जलपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	डेरपुर	डेरपुर	ऊमरी बजुर्ग	409	0-2-0	
				406-क	0-3-0	
					0-5-0	

[सं. ओ-14016/404/84-जीपी]

S.O. 3370.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 441 dated 25-4-88 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres			Remarks
1	2	3	4	5	6	7	8	9
Kannauj Dehat	Derapur	Derapur	Umri Bajurg	409	0	2	0	
				406A	0	3	0	
					0	5	0	

[No. O-14016/404/84-G.P.]

का. आ. 3371.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962) (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का. आ. मं. तारीख 25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाश की इस तारीख को निहित होगा।

एच.बी.जे. पाइप लाइन प्रोजेक्ट

जनपद	यहसीन	परगना	गांव	प्लॉट नं	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	डैरा पुर	डैरापुर	चिलौली	1683	0-8-10	
				1684	0-1-0	
				2	0-9-19	

[सं. O—14016/491/84-जीपी]

S.O. 3371.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 434 dated 25-4-88 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

1	2	3	4	5	6	7
Kanpur Dehat	Derapur	Derapur	Chilouli	1683	0 8 10	
				1684	0 1 0	
				2	0 9 10	

[N.S. O—14016/491/84 G.P.]

का. आ. 3372.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962) (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का. आ. मं. तारीख 417 (ई), तारीख 25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्-द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

एच. बी. जे. गैस लाईन प्रोजेक्ट

जिला	तहसील	परगना	ग्राम	गाटा सं.	अर्जित क्षेत्रफल	विवरण
1	2	3	4	5	6	7
जालौन	जालौन	जालौन	बघावाली	6	0-62	
			मुस्तकिल	16	0-55	
				15	0-03	
				20	0-15	
				58	0-11	
				62	0-65	
				66	0-88	
				69	0-53	
				93	0-46	
			बम्बा		0-09	
			चकरोड़		0-04	
				11	4-11	

[सं. O 14016/176/84—जी.पी.]

S.O. 3372.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 417(E) dt. 25-4-88 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Projects

District	Tashil	Pargana	Village	Plot No.	Area in Acre	Remarks
1	2	3	4	5	6	7
Jalaun	Jalaun	Jalaun	Baghawali		06 0 62	
			Mustakil		16 0 55	
					15 0 03	
					20 0 15	
					58 0 11	
					62 0 65	
					66 0 88	
					69 0 53	
					93 0 46	
				Bamba	0 09	
				Chakroad	0 04	
					11 4 11	

[No. O --14016/176/84 G.P.]

का. आ. 3373.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का. आ. नं. तारीख 438/25-4-88 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय एतद्द्वारा सरकार घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुपूरक वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा नं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	ढेरापुर	ढेरापुर	लाइपुर छिवना	195	0-8-10	
				110	0-2-10	
				106	0-17-0	
					1-8-0	

[सं. O—14016/488/85-जी पी.]

S.O. 3373.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 438 dated 25-4-88 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in Bigha	Remarks
1	2	3	4	5	6	7
Kanpur Dehat	Derapur	Derapur	Larpur Chivna	195	0 8 10	
				110	0 2 10	
				106	0 17 00	
					1 8 0	

[No. O—14016/488/85-G.P.]

का. आ. 3374.—यत्तः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अधिनियम) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिव्यूचना का. आ. सं. 412 (ई) तारीख 25-4-88 द्वारा केन्द्रीय सरकार ने उन अधिव्यूचना में संलग्न अनुपूर्वों में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अन्तः प्राप्ति घोषित कर दिया था।

और यत्तः सश्रम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अन्तः सरकार को रिपोर्ट दे दी है।

और आगे यत्तः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के बाद उक्त अधिव्यूचना में संलग्न अनुपूर्वों में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिर्देश किया है।

अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिव्यूचना में संलग्न अनुपूर्वों विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि० में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल एकड़ में	विवरण
1	2	3	4	5	6	7
जालौन	जालौन	जालौन	धरौना	15	0--10	

[सं. O--14016/113/85 जी. पी.]

S.O. 3374.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 412(E) dated 25-4-88 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances

I.I.B.J. GAS PIPE LINE PROJECT

District	Tahsil	Pargana	Village	Plot No.	Area in Acers	Remarks
1	2	3	4	5	6	7
Jalaun	Jalaun	Jalaun	Dharna	15	0-10	

[No. O-14016/113/85 GP]

का. आ. 3375.—यतः पेट्रोलियम और खनिज पाइप लाइनें (भूमि में उपयोग के अधिकार का अंत) अधिनियम 1962 (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का. आ. सं. 426/ तारीख 25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अन्त आणव्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूचक वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जंतपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
जालौन	जालौन	जालौन	ततारपुर	156	36	

[सं. O-14016/183/84 जी पी.]

S.O. 3375.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 426 dated 25-4-88 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Thasil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Jalaun	Jalaun	Jalaun	Tatarpur	156	36	

[No. O-14016/183/84 GP]

का. मा. 3378—जहाँ पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अधिनियम) अधिनियम 1962 (1962 का 50) की धारा 3 उपधारा (i) के अन्तर्गत भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का. मा. सं. तारीख 439/25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अन्तर्गत सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूचक वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	डेरपुर	डेरपुर	परोख	95	0-3-6	

[सं० O-14016/405/84 जी पी]

S.O. 3376.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 439 dated 25-4-88 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Kanpur Dehat	Derapur	Derapur	Parokh	95	0-3-6	

[No O-14016/405 84 GP]

का. आ. 3377.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का. आ. सं. तारीख 443 दिनांक 25-4-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुपूरक वाद अनुसूची
एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जन्पद	तहसील	परगना	ग्राम	गाटा नं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	डेरापुर	डेरापुर	नोनारी बजुर्ग	1385 1370	0-3-0 0-4-0	

[सं. ओ—14016/402/84—जी पी]

S.O. 3377.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 443 dated 25-4-88 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Kanpur Dehat	Derapur	Derapur	Nonari Bajurg	1385 1370	0-3-0 0-4-0	

[No. O-14016/402/84 GP]

का. आ. 3378.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) (अधिनियम 1962) (1912 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस अधिसूचना का. आ. सं. तारीख द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपीट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के अजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुपूरक वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा नं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
कानपुर देहात	डेरापुर	डेरापुर	खूजुरा	74	0-2-5	

[सं. ओ-14016/427/84—जी पी]

S.O. 3378.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 430 dated 25-4-88 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right

of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres	Remarks
Kanpur Dehat	Derapur	Derapur	Khajurra	74	0-2-5	

का.आ.3379.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में दिल्ली-बबराला एच.बी.जे. तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एनर्वायबल अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग अधिकार का अर्जन) (अधिनियम, 1962) (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि., विकासदीप बिल्डिंग, 22, स्टेशन रोड, लखनऊ-226019 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से ही या किसी विधि व्यवसायी के माफ़त।

(अनुसूची)

एच.बी.जे. गैस पाइप लाइन परियोजना

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बीघा में	विवरण
1	2	3	4	5	6	7
गाजियाबाद				चक न.	पु.न.वी.	वि.वि.
गाजियाबाद	बादरी	बादरी	छोलस	अचक	641/3	1-7-0
				"	628 मि.	0-13-10
				589	639 मि.	0-3-5
				623	628 मि.	0-11-5
				215	630 मि.	0-6-5
					629 मि.	
					639 मि.	
				265	629 मि.	1-5-10
					630 मि.	
					639 मि.	
					637 मि.	
				चकमार्ग	637 मि.	0-0-10
				115	637 मि०	1-9-0
				115	637 मि.	1-9-0
					621 मि.	
				860	621 मि.	1-8-0
				1	618	
					619	
					620 मि.	
					617 मि.	
					603 मि.	

1	2	3	4	5	6	7
				नाली	603 मि.	0-0-10
				626	603 मि.	0-5-0
					717 मि.	
				मुख्य मार्ग	603 मि.	0-1-0
					617 मि.	
				860	603 मि.	0-3-0
				II		
				23	617 मि.	0-19-0
					603 मि.	
					605 मि.	
				14	—	8-12-15
गाजियाबाद	बावरी	बावरी	बोलस	नाली	603 मि.	0-0-10
				276	603 मि.	1-2-5
					616	
					615 मि.	
					617	
					614 मि.	
				797	615 मि.	0-11-5
					617	
				मुख्य मार्ग	612 मि.	0-1-0
					617 मि.	
				681	612 मि.	0-4-0
				अचक	612 मि.	0-2-0
				"	411/1	0-2-0
				"	411 2	0-11-5
				"	412	0-5-0
				"	413	0-1-0
				59	418	0-6-5
				अचक	406	0-1-0
				518	419	1-7-0
					399 मि.	
				नाली	399 मि.	0-1-0
				261	399 मि.	1-5-10
					435 मि.	
				नाली	399 मि.	0-1-0
					435 मि.	
				530	399 मि.	0-6, 15
					435 मि.	
				अचक	387 मि.	0-11-0
				561	387 मि.	2-0-15
					373	
					372	
					367	
				19	—	9-9-10

1	2	3	4	5	6
				चक न.	पुराना न. बी.वि.वि.
गाजियाबाद	दादरी	दादरी	छोलस	अचक	366 0-16-10
				103	365 मि. 1-10-5
				रास्ता	307 0-3-0
				अचक	306 0-2-0
				62	299 मि. 0-17-0
				277	299 मि. 0-3-5
				चकभाग	299 मि. 0-0-15
				5	299 मि. 1-3-15
					272 मि.
					275 मि.
				643	271 मि. 0-6-5
					272 मि.
					275 मि.
					27 मि.
					277 मि.
				403	276 मि. 0-13-0
					277 मि.
					265 मि.
				350-III	277 मि. 0-10-0
					265 मि.
				350/II	265 मि. 0-8-10
					267 मि.
					266 मि.
				809/III	265 मि. 1-2-10
					242 मि.
				नाली	242 मि. 0-0-10
				314	242 मि. 0-19-0
					230 मि.
					233 मि.
				15	— 8-14-5
गाजियाबाद	दादरी	दादरी	छोलस	844	233 मि. 0-0-10
				चकभाग	233 मि. 0-1-0
				400	232 मि. 0-18-01
					233 मि.
				चकभाग	222 कि. 0-9-0
					233 मि.
				726	232 मि. 0-4-0
					233 मि.
				249	232 मि. 0-18-10
					233 मि.
					219 मि.
					220 मि.

1	2	3	4	5	6	7
				चकमार्ग	220 मि.	0-0-10
				67/I	220 मि.	0-11-10
				नाली	220 मि.	0-0-10
				21	220 मि.	0-3-10
				67/II	220 मि.	1-0-10
					218 मि.	
					217 मि.	
				263	218 मि.	0-11-10
					217 मि.	
					205 मि.	
				चकमार्ग	205 मि.	0-0-10
				863	205 मि.	0-14-5
				183	205 मि.	0-16-15
					203 मि.	
				367	203 मि.	0-1-0
				16	—	0-4-0
गाजियाबाद	दादरी	दादरी	छोलस	(1) 14	8-12-15	
				(2) 19	9-9-10	
				(3) 15	8-14-5	
				(4) 16	6-4-0	
				योग 64	33-0-10 बीघा	
					या	
					8.3553 हे.	

[सं. भो-14016/80/88-जीपी]

S.O. 3379.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from HBJ to Delhi from Babrala Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Pipeline Project, Vikasdeep Building, 22 Station Road, Lucknow-226019 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE
H.B.J. Gas Pie Line Project

District	Tehsil	Pargana	Village	Plot No.	area in acres
1	2	3	4	5	6
Ghaziabad	Dadri	Dadri	Chhauhas	641/3	1-7-0
				628 M	0-13-10
			589	639 M	0-3-5
			623	628 M	0-11-5
			215	630 M	0-6-5
				629 M	
				639 M	

1	2	3	4	5	6	7
			265	629 M	1-5-10	
				630 M		
				639 M		
				637 M		
			Chak Road	637 M	0-0-10	
			115	637 M	1-9-0	
				621 M		
			860	621 M	1-8-0	
			I	618		
				619		
				620 M		
				617 M		
				603 M		
			Nali	603 M	0-0-10	
			626	603 M		
				617 M	0-5-0	
			Main road	603 M	0-1-0	
				617 M		
			860	603 M	0-3-0	
			II			
			23	617 M	0-19-0	
				603 M		
				605 M		
			14	—	8-12-15	
			Nali 276	603 M	0-0-10	
				603 M	1-2-5	
				616		
				615 M		
				617 M		
				614 M		
			797	615 M	0-11-5	
				617 M		
			Main Road	612 M	0-1-0	
				617 M		
			681	612 M	0-4-0	
			Achark	612 M	0-2-0	
			„	411/1	0-2-0	
			„	411/2	0-11-5	
			„	412	0-5-0	
			„	413	0-1-0	
			59	418	0-6-5	
				406	0-10-0	
			518	419	1-7-0	
				399 M		
			Nali	399 M	0-1-0	
			261	399 M	1-5-10	
			Nali	435 M	0-1-0	
			530	399 M	0-6-15	
				435 M		
			Achark	387 M	0-11-0	
			561	387 M	2-0-15	
				373		
				372		
				367		
			19	—	9-9-10	
			Achark	366	0-16-10	
			103	365 M	1-10-5	
				307	0-3-0	
				306	0-2-0	

1	2	3	4	5	6	7	8
				62	299 M	0-17-0	
				277	299 M	0-3-5	
				Chak road	299 M	0-0-15	
				5	299 M	1-3-15	
					272 M		
					275 M		
				643	271 M	0-6-5	
					272 M		
					270 M		
					276 M		
					277 M		
				403	276 M	0-13-0	
					277 M		
					265 M		
				350 III	277 M	0-10-0	
					265 M		
				350 II	265 M	0-6-10	
					267 M		
					266		
				809	255 M	1-2-10	
				III	242 M		
				Nali	242 M	0-0-10	
				314	242 M	0-19-0	
					230 M		
					233 M		
				15	—	8-14-5	
Ghaziabad	Dadri	Dadri	Chhauhas	844	233 M	0-0-10	
				Chak road	233 M	0-1-0	
				400	232 M	0-18-10	
					233 M		
				Chak road	232 M	0-1-0	
					233 M		
				726	232 M	0-4-0	
					233 M		
				249	232 M	0-18-10	
					233 M		
					219 M		
					220 M		
				Chak road	230 M	0-0-10	
				67 I	220 M	0-11-10	
				Nali	220 M	0-0-10	
				21	220 M	0-3-10	
				67 II	220 M	1-0-10	
					218 M		
					217 M		
				263	218 M	0-11-10	
					217 M		
					205 M		
				Chak road	205 M	0-0-10	
				863	205 M	0-14-15	
				183	205 M	0-16-15	
					203 M		
				367	203 M	0-1-0	
				16	—	6-4-0	
				(1)	14	8-12-15	
				(2)	19	9-9-10	
				(3)	15	8-14-5	
				(4)	16	6-4-0	
				Total	64	33-0-10 Bigha	
						or	
						8.3553 Hectare	

का. आ. 3380 :—जबकि केन्द्र सरकार का यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि बबराला से दिल्ली तक पेट्रोलियम पदार्थ लाने के लिए एच. बी. जे. पाइपलाइन परियोजना का विस्तार किया जाए। पाइपलाइन गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और यह भी अनुभव करती है कि ऐसी पाइपलाइन बिछाने के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

यतः, पेट्रोलियम एवं खनिज पाइपलाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962) (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्द्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइपलाइन बिछाने के विरोध में अपनी आपत्ति सभ्य प्राधिकारी गैस अथॉरिटी ऑफ इंडिया लिमिटेड एच. बी. जे. पाइपलाइन परियोजना, विकास दीप बिल्डिंग, 22, स्टेशन रोड़, लखनऊ—226019 उ. प्र. में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निविष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

एच. बी. जे. गैस पाइप लाइन परियोजना

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बीघा में	विवरण
1	2	3	4	5	6	7
बुलन्दशहर	सिकन्दराबाद	सिकन्दराबाद	पैमपुर	1	0-2-8	नहर
			6	1-8-0		
			36	0-1-0		
			35	1-15-0		
			37	0-0-10		
			38	0-1-0		
			42	0-2-8		
			39	0-6-0		
			10	0-3-5		
			41	0-1-0		
			13	1-7-0		
			44	0-10-0		
			45	0-0-10		
			46	0-8-10		
			47	0-3-15		
			32	0-1-10		
			31	0-0-10		
			22	0-0-2		
			21	0-0-1		
			19	1-1-5		
			18	0-5-15		
			51	0-1-0		
			52	0-0-10		
			53	0-14-5		
			24 किना	8-14-14	बीघा	
				या		
				2.2089	हेक्टेयर	

[सं. ओ-14016/31/88-जीपी]

S.O. 3380.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from HBJ to Babrala to Delhi extension of HBJ Pipeline Project, a Pipeline should be laid by the Gas Authority of India Ltd.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (40 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Project, Vikas-deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

H.B.J. Gas Pipe Line Project.

District	Tehsil	Pargana	Village	Plot No.	Area in Bigha	Remarks
1	2	3	4	5	6	7
Bulard Shahar	Sikandrabad	Sikandrabad	Palampur	1	0-2-8	
				6	1-8-0	Nahar
				36	0-1-0	
				35	1-15-0	
				37	0-0-10	
				38	0-1-0	
				42	0-2-8	
				39	0-6-0	
				40	0-3-5	
				41	0-1-0	
				43	1-7-0	
				44	0-10-0	
				45	0-0-10	
				46	0-8-10	
				47	0-3-15	
				32	0-1-0	
				31	0-0-10	
				22	0-0-2	
				21	0-0-1	
				19	1-1-5	
				18	0-5-15	
				51	0-1-0	
				52	0-0-10	
				53	0-14-5	
				24 Kila	8-14-14 Bigha	
					OR	
					2.2089 Hectare	

[No. O-14016/81/88-GP]

का. आ. 3381 :—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि बबराला से दिल्ली तक पेट्रोलियम पदार्थ लाने के लिए एच. बी. जे. पाइपलाइन परियोजना का विस्तार किया जाए। पाइपलाइन गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और यह भी अनुभव करती है कि ऐसी पाइपलाइन बिछाने के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः, पेट्रोलियम एवं खनिज पाइपलाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम), 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइपलाइन बिछाने के विरोध में अपनी आपत्ति सभ्य प्राधिकारी गैस अथॉरिटी ऑफ इंडिया लिमिटेड एच. बी. जे. पाइपलाइन परियोजना, विकास दीप बिल्डिंग, 22, स्टेशन रोड, लखनऊ—226019 उ. प्र. में दर्ज करा सकना है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निदिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

एच. बी. जे. गैस पाइप लाइन परियोजना

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बीघा में	विवरण
1	2	3	4	5	6	7
बुलन्दशहर	सिकन्दराबाद	सिकन्दराबाद	मंजूपुर		वी.-बि.-वि.	
				170	0-7-5	
				171	0-9-15	
				167	0-0-15	
				166	0-0-10	
				148	0-0-1	
				149	1-4-5	
				150	0-5-10	
				151	0-3-10	
				152	0-3-0	
				153	0-0-5	
				155	0-1-0	
				156	0-19-10	
				163	0-5-0	
				162	0-0-5	
				161	0-9-10	
				160	0-1-0	
				159	0-17-10	
				158	0-13-0	
				157	0-0-10	
				164	0-1-10	
				175	0-0-10	
				182	0-0-15	
				22 किला	6-4-16	बीघा
बुलन्दशहर	सिकन्दराबाद	सिकन्दराबाद	मंजूपुर	184	0-3-0	
				140	0-7-15	
				64	0-0-5	
				100	0-0-3	
				101	0-1-5	
				102	1-15-0	
				103	0-4-15	
				105	0-0-10	
				119	0-0-15	
				118	0-0-2	
				120	0-7-15	
				121	0-15-10	
				122	0-13-15	

1	2	3	4	5	6	7
					बी.-वि.-वि.	
				123	0-0-12	
				125	0-0-8	
				126	0-2-10	
				16 किला	4-13-10 बीघा	
				22 किला	6-4-16 बीघा	
				38 किला	10-18-6 बीघा	
					या	
					2. 7613	हेक्टेयर
					[सं. ओ-14016/82/88-जीपो]	

S.O. 3381.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from HBJ to Babrala to Delhi an extension of HBJ Pipeline Project, a Pipeline should be laid by the Gas Authority of India Ltd.;

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (59 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Project, Vikas-deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE H.B.J. GAS PIPE LINE PROJECT

District	Tehsil	Pargana	Village	Plot No.	Area in Bigha	Remarks
1	2	3	4	5	6	7
Buland Shahr	Sikandrabad	Sikandrabad	Manjupur	170	0-7-5	
				171	0-9-15	
				167	0-0-15	
				166	0-0-10	
				148	0-0-1	
				149	1-4-5	
				150	0-5-10	
				151	0-3-10	
				152	0-3-0	
				153	0-0-5	
				155	0-1-0	
				156	0-19-10	
				163	0-5-0	
				162	0-0-5	
				161	0-9-10	
				160	0-1-0	
				159	0-17-10	
				158	0-13-0	
				157	0-0-10	
				164	0-1-10	
				175	0-0-10	
				182	0-0-15	
				22 kila	6-4-16 Bigha	
				184	0-3-0	
				140	0-7-15	
				64	0-0-5	

100	0-0-3
101	0-1-5
102	1-1-5-0
103	0-4-15
105	0-0-10
119	0-0-15
118	0-0-1
120	0-7-15
121	0-15-10
122	0-13-5
123	0-0-12
125	0-0-8
126	0-2-10
<hr/>	
16 fita	4-13-10
<hr/>	
22 fita	6-4-16
<hr/>	
38 Kila	10-18-6 Bigha OR 2.7613 Hectare

[No. O-14016/82/88. C P]

का. आ. 3382:—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि बबराला से दिल्ली तक पेट्रोलियम पदार्थ लाने के लिए एच. बी. जे. पाइपलाइन परियोजना का विस्तार किया जाए। पाइप लाइन गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और यह भी अनुभव करती है कि ऐसी पाइपलाइन बिछाने के लिए इसके साथ संलग्न विवरणों में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइपलाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उप खण्ड (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

वर्तते कि उक्त भूमि में अपनी रचि रखने वाला कोई भी व्यक्ति अधिवचना की तारीख से 21 दिन के भीतर भूमिगत पाइपलाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी ऑफ इंडिया लिमिटेड एच. बी. जे. पाइपलाइन परियोजना विकास दीप बिल्डिंग 22, स्टेशन रोड, लखनऊ-226019 उ. प्र. में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बीघा में	विवरण
			बी.	वि.		वि.
1	2	3	4	5	6	7
बुलन्दशहर	अनुपशहर	अनुपशहर	उगेवां	4	0	4 10
				2	0	5-15
				3	0	13-0
				1	0	2-15
				4	1	6 0 बीघा

या

0.3289 हेक्टेयर

[सं. ओ-14016/83/88-जी. पी.]

S.O. 3382.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from HBJ to Babrala to Delhi extension of HBJ Pipeline Project, a Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority Gas Authority of India Ltd. HBJ Project, Vikas-deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

H.B.J. Gas Pipe Line Project

District	Tahsil	Paragana	Village	Plot No.	Area in acres	Remark
Bulandshahar	Anoop Shahar	Anoop Shahar	Ugewan	4	0-4-10	
				2	0-5-15	
				3	0-13-0	
				1	0-2-15	
				4	1-6-0 Bigha	

[No. O-14016/83/88-GP]

का.प्र. 3383.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि बबराला से दिल्ली तक पेट्रोलियम पदार्थ लाने के लिए एच.बी.जे. पाइपलाइन परियोजना का विस्तार किया जाए। पाइपलाइन गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और यह भी अनुभव करती है कि ऐसी पाइपलाइन बिछाने के लिए इसके माध्यम सलमन विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइपलाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खंड 3 के उपखंड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की भूमा की घोषणा करती है।

वर्तते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइपलाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी ऑफ इंडिया लिमिटेड एच.बी.जे. पाइपलाइन परियोजना विकास वीप बिल्डिंग, 22, स्टेशन रोड, लखनऊ-226019 उ.प्र. में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज करते समय किसी भी व्यक्ति को यह विशेष रूप से निविष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

एच.बी.जे. गैस पाइप लाइन परियोजना

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बीघा में	विवरण
1	2	3	4	5	6	7
बुलन्दशहर	सिकन्द्राबाद	सिकन्द्राबाद	मनोवास	416	1-4-10	बी.वि.वि.
				412	1-5-0	
				410	0-1-15	
				409	0-1-10	
				406	0-7-0	
				407	0-0-10	
				405	0-13-5	

1	2	3	4	5	6	7
				404	0-15-10	
				391	1-18-10	
				392	0-19-15	
				380	0-4-5	
				375	0-1-5	
				374	0-6-0	
				376	0-6-10	
				367	0-2-0	
				377/1	0-0-5	
				368	0-4-0	
				366	0-5-5	
				362	0-6-5	
				364	0-0-15	
				363	0-6-5	
				359	0-1-0	
				358	0-6-5	
				22	9-13-5	
				1(7)	0-4-0	
				23	9-17-5	
				356	0-14-10	
				350	1-2-10	
				348/1	1-4-10	
				348/2		
				344	0-11-15	
				346	0-1-5	
				343	0-0-2	
				345	0-18-0	
				320	0-1-10	
				9	4-14-12	
				23	9-17-5	
			योग	32	14-11-17 बीघा	
					या	
					3.69.07 हेक्टेयर	

[सं. ओ-14016/84/88-जी.पी.]

S.O. 3383.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from HBJ to Babrala to Delhi extension of HBJ Pipeline Project, a Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Project, Vikas-deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE
H.B.J. GAS PIPE LINE PROJECT

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Bulandshahar	Sikandrabad	Sikandrabad	Manobas	416	1-4-10	
				412	1-5-0	
				410	0-1-15	
				409	0-1-10	
				406	0-7-0	
				407	0-0-10	
				405	0-13-5	
				404	0-15-10	
				391	1-18-10	
				392	0-19-15	
				380	0-4-5	
				375	0-1-5	
				374	0-6-0	
				376	0-6-10	
				367	0-2-0	
				377/1	0-0-5	
				368	0-4-0	
				366	0-5-5	
				362	0-6-5	
				364	0-0-15	
				363	0-6-5	
				359	0-1-0	
				358	0-6-5	
				22	9-13-5	
				1(+)	0-4-0	
				23	9-17-5	
				356	0-14-10	
				350	1-2-10	
				348/1	1-4-10	
				348/2		
				344	0-11-15	
				346	0-1-5	
				343	0-0-2	
				345	0-18-10	
				320	0-1-10	
				9	4-14-12	
				23	9-17-5	
				32	14-11-17 Bigha OR 3.6907 Hectare	

[No. O-14016/84/88-GP]

का.आ. 3384.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि बगराला से दिल्ली तक पेट्रोलियम पथार्थ लाने के लिए एच.बी.जे. पाइपलाइन परियोजना का विस्तार किया जाए। पाइपलाइन गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और यह भी अनुभव करती है कि ऐसी पाइपलाइन बिछाने के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइपलाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखंड (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की संशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिभूचना की तारीख से 21 दिन के भीतर भूमिगत पाइपलाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी ऑफ इंडिया लिमिटेड एच.बी.जे. पाइपलाइन परियोजना विकास दीप बिल्डिंग, 22, स्टेशन रोड लखनऊ-226019 उ.प्र. में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराने समय किसी भी व्यक्ति का यह विशेष रूप से निश्चित करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

एच.बी.जे. गैस पाइप लाइन परियोजना

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बीघा में	विवरण				
1	2	3	4	5	6	7				
मूलान्दशहर	सिकन्द्राबाद	सिकन्द्राबाद	कंबरा	चक नं. पुराना गाटा	बी.वि.वि.					
				अ.क. 701	0-5-0					
				573	703 मि.	0-10-0				
				478	703 मि.	1-6-0				
				702						
				560	703 मि.	0-1-10				
				468	717	0-2-0				
				अ.च. 670	2-16-10					
				230	671 मि.	0-4-10				
				चक मार्ग 671 मि.	0-3-0					
				672 मि.						
				673 मि.						
				674 मि.						
				अ.ख. 672 मि.	0-4-0					
				अ.च. 673 मि.	0-6-0					
				569	674 मि.	0-10-0				
				681/2 मि.						
				321	681/2 मि.	1-0-15				
				680 मि.						
				अ.च. 680 मि.	0-17-5					
				अ.ख. 601	0-18-10					
				अ.च. 602	0-3-0					
				अ.च. 599	1-16-0					
				चकमार्ग 598 मि.	0-1-15					
				580	598 मि.	0-8-5				
				597 मि.						
				285	598 मि.	1-0-0				
				597 मि.						
				योग				19	12-14-0 बीघा	
									या	
									3.2131 हेक्टेयर	

[सं. ओ-14016/85/88-जीपी]

S.O. 3384.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from HBJ to Babrala to Delhi an extension of HBJ Pipeline Project, a Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Project, Vikas-deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

H.B.J. GAS PIPE LINE PROJECT

District	Tehsil	Pargana	Village	Plot No.		Area in Bigha	Remarks				
				Chak No.	old No.						
1	2	3	4	5	6	7					
Bulan Is'har	Sikandarabad	Sikandarabad	Karwara	Achak	701	0-5-0					
				573	703Min.	0-10-0					
				478	703Min.	1-6-0					
					702						
				560	703Min.	0-1-10					
				468	717	0-2-0					
				Achak	670	2-16-10					
				230	671 Min.	0-4-10					
				Chak Marg	671 Min.	0-3-0					
					672Min.						
					673Min.						
					674Min.						
				Achak	672Min.	0-4-0					
				Achak	673Min.	0-6-0					
				569	674Min.	0-10-0					
					68 1/2Min.						
				321	68 1/2 Min.	1-0-15					
					680Min.						
				Achak	680	0-17-5					
				Achak	601	0-18-10					
				Achak	602	0-3-0					
				Achak	599	1-16-0					
				Chak Marg	598Min.	0-1-15					
				580	598Min.	0-8-5					
					597Min.						
				285	598Min.	1-0-0					
					597Min.						
				Total				19	12-14-0	Bigha in	
										3.2131 Hectare	

[No. O-14016/85/88-G.F.]

का.आ. 3385.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि बबराला में दिल्ली तक पेट्रोलियम पदार्थ लाने के लिए एच.बी.जे. पाइपलाइन परियोजना का विस्तार किया जाए। पाइपलाइन गैस अथाग्टी आफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और यह भी अनुभव करती है कि ऐसी पाइपलाइन बिछाने के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइपलाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खंड 3 के उप खंड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

ब्रशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ती मक्षम प्राधिकारी गैस अथोरिटी आफ इंडिया लिमिटेड एच०बी०जे पाइप लाइन परियोजना, विकास दीप बिल्डिंग, 22, स्टेसन रोड, लखनऊ-226019 उ.प्र. में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराने समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से प्रथम विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

एच.बी.जे. गैस पाइप लाइन परियोजना

अनुपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
बुलन्दशहर	बिकन्दराबाद	बिकन्दराबाद	मुरादाबाद (देहजारीर)	615	0-3-15	
				614	0-1-5	
				602	0-0-15	
				601	0-0-5	
				608	0-15-15	
				605	0-0-15	
				603	0-11-5	
				600	0-0-10	
				588	0-13-15	
				590	0-16-0	
				589	0-4-10	
				591	0-9-10	
				584	0-1-0	
				583	0-1-5	
				571	0-8-10	
				573	1-9-0	
				574	0-0-15	
				559	0-0-10	
				556	0-14-10	
				557	0-13-10	
				554	0-2-5	
				547	1-2-5	
				552	0-17-0	
				548	0-13-10	
				549	0-0-5	
				542	0-9-10	
				541	0-0-10	
				539	0-0-10	
				537	1-4-5	
				538	0-0-10	
				516	0-15-15	
				515	0-17-10	
				519	1-6-0	
				520	0-3-0	
				520/626	0-4-0	
				523	0-9-0	

1	2	3	4	5	6	7
बुलन्दशहर	सिकन्दराबाद	सिकन्दराबाद	मुरादाबाद	521	0-10-10	
			(देहजागीर)	522	0-3-0	
				206	0-3-0	
				207	0-4-15	
				208	0-0-10	
				209	1-10-10	
				211	0-0-10	
				212	0-0-10	
				214	0-11-0	
				215	0-1-5	
				216	0-1-5	
				217	0-13-0	
				219	0-0-10	
				220	0-4-10	
				221	0-7-10	
				222	0-0-5	
				223	0-0-5	
				191	0-14-5	
				190	0-4-5	
				189	0-14-10	
				192	0-6-10	
				188	0-0-3	
				187	0-0-15	
				186	1-2-10	
				185	0- -10	
				194	0-1-0	
				195	0-1-5	

				63	23-11-3 बीघा	
					या	
					5,9586 हेक्टेयर	

[सं० ओ-14016/86/88-जी पी.]

S.O. 3385.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from HBJ to Babrala to Delhi an extension of HBJ Pipeline Project, a Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Project, Vikas-deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE
H.B.J. GAS PIPE LINE PROJECT

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Bulan Ishahar	Sikandarabad	Sikandarabad	Muradabad (Dehjagir)	615	0-3-15	
				614	0-1-5	
				602	0-0-15	
				601	0-0-5	
				608	0-15-15	
				605	0-0-15	
				603	0-11-5	
				600	0-0-10	
				588	0-13-15	
				590	0-16-0	
				589	0-4-10	
				591	0-9-10	
				584	0-1-0	
				583	0-1-5	
				571	0-8-10	
				573	1-9-0	
				574	0-0-15	
				559	0-0-10	
				556	0-14-10	
				557	0-13-10	
				554	0-2-5	
				547	1-2-5	
				552	0-17-0	
				548	0-13-10	
				549	0-0-5	
				542	0-9-10	
				541	0-0-10	
				539	0-0-10	
				537	1-4-5	
				538	0-0-10	
				516	0-15-15	
				515	0-17-10	
				519	1-6-0	
				520	0-3-0	
				520/626	0-4-0	
				523	0-9-0	
				521	0-10-10	
				522	0-3-0	
				206	0-3-0	
				207	0-4-15	
				208	0-0-10	
				209	1-10-10	
				211	0-0-10	
				212	0-0-10	
				214	0-11-0	
				215	0-1-5	
				216	0-1-5	
				217	0-13-0	
				219	0-0-10	
				220	0-4-10	
				221	0-7-10	
				222	0-0-5	
				223	0-0-5	
				191	0-14-5	
				190	0-4-5	

1	2	3	4	5	6	7
				189	0-14-10	
				192	0-6-10	
				188	0-0-3	
				187	0-0-15	
				186	1-2-10	
				185	0-0-10	
				194	0-1-0	
				195	0-1-5	
				63	23-11-3 Bigha	
					OR	
					5.9586 Hectare	

[No. O-14016/86/88-G.P.]

का आ 3386.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि बराला से दिल्ली तक पेट्रोलियम पदार्थ लाने के लिए एच.बी.जे. पाइपलाइन परियोजना का विस्तार किया जाए। पाइपलाइन गैस अथारिटी ऑफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और यह भी अनुभव करती है कि ऐसी पाइपलाइन बिछाने के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइपलाइन भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

वर्शों कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइपलाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अथारिटी, ऑफ इंडिया लिमिटेड, एच.बी.जे. पाइपलाइन परियोजना, विकास दीप विहडग, 22, स्टेशन रोड, लखनऊ-226019 उ.प्र. में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निदिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

एच.बी.जे. गैस पाइप लाइन परियोजना

अनुपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बीघा में बी.वि.वि.	विवरण
1	2	3	4	5	6	7
बुलन्दशहर	मिकन्दराबाद	मिकन्दराबाद	खगुवा बास	422	1-0-0	
				420	0-0-15	
				423	0-1-0	
				418	0-2-0	
				414	0-13-5	
				413	0-10-15	
				412	0-0-5	
				411	0-0-10	

1	2	3	4	5	6	7
बुलन्दशहर	सिकन्दरगढ़	सिकन्दरगढ़	खगवा बाग	409	0-0-2	
				410	0-0-10	
				408	0-0-5	
				389	0-11-8	
				390	0-16-10	
				391	2-3-10	
				392	1-6-5	
				393	0-17-0	
				372	0-0-8	
				370	0-1-15	
				373	0-10-5	
				369	0-0-10	
				367	0-0-5	
				366	0-19-10	
			नाली		0-0-2	
			368		0-8-10	
			301		0-19-0	
			361		0-18-0	
			302		0-3-15	
			303		0-0-15	
			362		0-3-0	
			304		0-9-15	
			306		1-7-15	
			307		0-10-0	
			308		0-5-15	
			267 चक्र मार्ग		0-0-15	
			193		0-13-10	
			194		0-0-15	
			195		0-2-10	
			राम्प 186		0-1-5	
			75		2-12-15	
			86		0-10-15	
			85		0-10-10	
			87		0-9-0	
			88		1-18-0	
			89		0-4-10	
			90		0-4-10	
			92		0-6-0	
			93		0-3-10	
			94		0-8-10	
			95		1-18-0	
			96		0-0-5	
			64		0-1-10	

1	2	3	4	5	6	7
				101	0-2-15	
				102	0-19-0	
				103	0-3-10	
				30	12-14-10	
				54	26-14-15 बीघा	
					या	
					6. 8435 हेक्टेयर	
						[सं. ओ-14016/87/88-जी पी]

S.O. 3386.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from HBJ to Babra to Delhi an extension of HBJ Pipeline Project, a Pipeline should be laid by the Gas Authority of India Ltd

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Project, Vikas-deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

H.B.J. GAS PIPE LINE PROJECT

District	Tehsil	Pargan	Village	Plot No.	Area in Bigha	Remarks
1	2	3	4	5	6	7
Buland Shahr	Sikandarabad	Sikandarabad	Khaguwabas	422	1-0-0	
				420	0-0-15	
				423	0-1-0	
				418	0-2-0	
				414	0-13-5	
				413	0-10-15	
				412	0-0-5	
				411	0-0-10	
				409	0-0-2	
				410	0-0-10	
				408	0-0-5	
				389	0-11-8	
				390	0-16-10	
				391	2-3-10	
				392	1-6-5	
				393	0-17-0	
				372	0-0-8	
				370	0-1-15	
				373	0-10-5	
				369	0-0-10	
				367	0-0-5	
				366	0-19-10	
				Nali	0-0-2	
				368	0-8-10	
				301	0-19-0	
				361	0-18-0	
				302	0-3-15	

1	2	3	4	5	6	7
				303	0-0-15	
				362	0-3-0	
				304	0-9-15	
				30	12-19-10	
				306	1-7-15	
				307	0-10-0	
				308	0-5-15	
				267	0-0-15	
				193	0-13-10	
				194	0-0-15	
				195	0-2-10	
				186	0-1-5	
				75	2-12-15	
				86	0-10-15	
				85	0-10-10	
				87	0-9-0	
				88	1-18-0	
				89	0-4-10	
				90	0-4-10	
				92	0-6-0	
				93	0-3-10	
				94	0-8-10	
				95	1-18-0	
				96	0-0-5	
				71	0-1-10	
				101	0-2-15	
				102	0-19-0	
				103	0-3-10	
				24	13-1-5	
				30	12-14-10	
				54	26-14-15 Bigha	
					or	
					6.8435 Hectare	

[No. O-14016/87/88-G.P.]

का.आ. 3387:—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि बबराला से दिल्ली तक पेट्रोलियम पदार्थ लाने के लिए एच.बी.जे. पाइपलाइन परियोजना का विचार किया जाए। पाइपलाइन गैस अथॉरिटी आफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और यह भी अनुभव करती है कि ऐसी पाइपलाइन बिछाने के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइपलाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बताने कि उक्त भूमि में अपनी खूबि रखने वाला कोई भी व्यक्ति अधिवृत्त की तारीख से 21 दिन के भीतर भूमिगत पाइपलाइन बिछाने के विरोध में अपनी आपत्ती सक्षम प्राधिकारी गैस अथॉरिटी आफ इंडिया लिमिटेड एच.बी.जे. पाइपलाइन परियोजना, विकास द्वीप बिल्डिंग, 22, स्टेशन रोड, लखनऊ-226019 उ.प्र. में दर्ज करा सकता है।

और ऐसी आपत्ती दर्ज कराते समय किसी भी व्यक्ति को यह धिरोख रूप से निश्चित करना होगा कि यह व्यक्ति का रूप से अथवा विधि व्यवसाय के माध्यम से अपना मत प्रस्तुत करना चाहता है।

एच.बी.जे. गैस पाइप लाइन परियोजना

जम्पद	तहसील	परगना	ग्राम	प्लॉट नं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
बुलन्दशहर	सिकन्दराबाद	सिकन्दराबाद	पीरबि दाबानी	447	0-18-10	

योग

1

0-18-10 बीघा

या

0-2400 हेक्टेयर

[सं. ओ-14016/88/88/जी पी]

S.O. 3387.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from HBJ to Babrala to Delhi an extension of HBJ Pipeline Project, a Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Project, Vikas-deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

H.B.J. GAS PIPE LINE PROJECT

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Buland Shahar	Sikandrabad	Sikandrabad	Pir-Biyabani	447	0-18-10	
				1	0-18-10 Bigha or 0.2400 Hectare	

[No. O-14016/88/88-G.P.]

का.आ. 3388:—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि बबराला से दिल्ली तक पेट्रोलियम पदार्थ लाने के लिए एच.बी.जे. पाइपलाइन परियोजना का विस्तार किया जाए। पाइपलाइन गैस अथॉरिटी आफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और यह भी अनुभव करती है कि ऐसी पाइपलाइन बिछाने के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एंड खनिज पाइपलाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के अनुच्छेद 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उम पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

जहाँ कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिनों के भीतर भूमिगत पाइपलाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इंडिया लिमिटेड एच.बी.जे. पाइपलाइन परियोजना, विकासदीप बिल्डिंग, 22, स्टेशन रोड, लखनऊ 226019 उ.प्र. में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि यह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

क्रमपद	तहसील	परगना	ग्राम	प्लॉट सं.	क्षेत्रफल बीघा में	विवरण
1	2	3	4	5	6	7
बुलन्दशहर	सिकन्दराबाद	सिकन्दराबाद	मण्डौवारा	121	1-13-0	
				120	0-01-10	
				119	0-4-0	
				118	0-12-10	
				117	0-7-0	
				चकमार्ग	0-0-15	
				15	0-0-10	
				16	0-18-10	
				14	1-9-10	
				10	0-0-15	
				5	0-17-0	
				3	1-0-0	
				12	7-5-00 बीघा	
					या	

1. 8343

हेक्टेयर

[सं. ओ-14016/89/88-जे पी]

S.O. 3388.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from HBJ to Babrala to Delhi an extension of HBJ Pipeline Project, a Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Project, Vikas-deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

H.B.J. GAS PIPE LINE PROJECT

District	Tehsil	Pargana	Village	Plat No.	Area in acres	Remark
1	2	3	4	5	6	7
Bulandshahar	Sikandrabad	Sikandrabad	Mandawara	121	1-13-0	
				120	0-1-10	
				119	0-4-0	
				118	0-12-10	
				117	0-7-0	
				Chak Marg	0-0-15	
				15	0-0-10	
				16	0-18-10	
				14	1-9-10	
				10	0-0-15	
				5	0-17-0	
				10	1-0-0	
				12	7-5-0 Bigha	
					or	

1.8343 Hectare

[No. O-14016/89/88-GP]

का.आ.3389:—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि खजाला से दिल्ली तक पेट्रोलियम पदार्थ लाने के लिए एच.बी.जे. पाइपलाइन परियोजना का विस्तार किया जाए। पाइपलाइन गैस अथारिटी आफ इंडिया लिमिटेड द्वारा बिछाई जानी जाहिए।

और यह भी अनुभव करती है कि ऐसी पाइपलाइन बिछाने के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइपलाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962) (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की संशा की घोषणा करती है।

वर्शते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइपलाइन बिछाने के विरोध में अपनी आपत्ति सहित प्राधिकारी गैस अथारिटी आफ इंडिया लिमिटेड एच.बी.जे. पाइपलाइन परियोजना, विकास दीप बिल्डिंग, 22, स्टेशन रोड, लखनऊ-226019 उ.प्र. में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समा किसी भी व्यक्ति को यह विशेष रूप से निविष्ट करना होगा कि वह आश्रित रूप से अथवा विधि व्यवसायक के माध्यम में अपना मत प्रस्तुत करना चाहता है।

एच.बी.जे. गैस पाइपलाइन परियोजना

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बीघा में	विवरण
1	2	3	4	5	6	7
बुलन्द शहर	सिकन्दराबाद	सिकन्दराबाद	रिटौली	406	0-0-18	
				407	0-0-18	
				408	0-4-18	
				409	0-4-10	
				410	0-0-10	
				412	1-18-0	
				413	0-0-18	
				422	0-11-5	
				423	0-11-10	
				424	0-3-5	
				421	0-0-13	
				420	0-1-0	
				419	1-17-18	
				429	0-0-15	
				439	0-19-10	
				442	0-0-10	
				443	1-6-0	
				472	0-0-18	
				773	0-5-10	
				474	1-1-0	
				524	0-0-18	
				569	1-4-5	
				529	0-1-0	
				23	10-18-10	

1	2	3	4	5	6	7
बुलन्दशहर	सिकन्दराबाद	सिकन्दराबाद	रिटीली	528	0-7-15	
				527	0-0-10	
				525	1-19-5	
				522	0-0-15	
				526	0-14-10	
				133	0-3-15	
				117	0-8-15	
				120	0-0-15	
				121	0-0-10	
				122	1-13-5	
				114	0-1-0	
				89	0-2-15	
				112	0-0-10	
				113	0-19-0	
				110	0-0-10	
				111	0-9-10	
				109	0-12-10	
				108	1-6-15	
				107	1-1-5	
				19	10-3-10	
				23	10-16-10	
			योग	42	21-00-00	बीघा
					या	
					5.3120	हैक्टेयर

[सं. ओ-14016/90/88-जी पी]

S.O. 3389.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from HBJ to Babrala to Delhi an extension of HBJ Pipeline Project, a Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Project, Vikas deep Building, 22 Station Road, Lucknow-226019, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

H.B.J. Gas Pipe Line Project

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remarks
1	2	3	4	5	6	7
Bulandshahar	Sikandarabad	Sikandarabad	Ritauli	406	0-0-13	
				407	0-0-15	
				408	0-4-15	
				409	0-4-10	
				410	0-0-10	

1	2	3	4	5	6	7
				412	1-19-0	
				413	0-0-15	
				422	0-11-5	
				423	0-11-10	
				424	0-3-5	
				421	0-0-15	
				420	0-1-0	
				419	1-17-15	
				429	0-0-15	
				439	0-19-10	
				442	0-0-10	
				443	1-6-0	
				472	0-0-15	
				473	0-5-10	
				474	1-1-0	
				524	0-0-15	
				569	1-4-5	
				529	0-1-0	
				528	0-7-15	
				527	0-0-10	
				525	1-19-5	
				522	0-0-15	
				526	0-14-10	
				133	0-3-15	
				117	0-8-15	
				120	0-0-15	
				121	0-0-10	
				122	1-13-15	
				114	0-1-0	
				89	0-2-15	
				112	0-0-10	
				113	0-19-0	
				110	0-0-10	
				111	0-9-10	
				109	0-12-10	
				108	1-6-15	
				107	1-1-5	
				42	21-00-00	
					5.3120 Hectare	

[No. O-14016/90/88-G.P.]

का. आ. 3390 :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 2916 तारीख 24-10-87 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में निहित

होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस नसोख को निहित होगा।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम—रायपुरिया तहसील—पटेलवावद जिला—झारखण्ड
राज्य—म. प्र.

अनुसूची

अनु- खण्ड नम्बर उपयोग अधिकार अर्जन
क्रमिक का क्षेत्र (हेक्टर में)

1	2	3
1. 494	0.057	
2. 493	0.129	
3. 492	0.202	
4. 487	0.121	
5. 490	0.028	
6. 491	0.033	
7. 495	0.265	
8. 496	0.129	
9. 497	0.010	
10. 489	0.024	
11. 346	0.162	
12. 345	0.220	
13. 344	0.005	
14. 43	0.005	
15. 319	0.049	
16. 342	0.057	
17. 320	0.008	
18. 340	0.052	
19. 341	0.251	
20. 335	0.049	
21. 334	0.005	
22. 321	0.005	
23. 322	0.005	
24. 332	0.058	
25. 331	0.058	
26. 330	0.142	
27. 329	0.081	
28. 328	0.081	
29. 327	0.049	
30. 326	0.005	
31. 357	0.344	
32. 356	0.041	
33. 355	0.005	
34. 358	0.024	
35. 300	0.057	
36. 309	0.129	
37. 360	0.137	
38. 361	0.089	

1	2	3
39. 364		0.121
40. 363		0.063
41. 365		0.024
42. 54		0.101
43. 56		0.029
44. 57		0.012
45. 58		0.008
46. 59/1		0.024
47. 59/3		0.049
48. 59/2		0.024
49. 61		0.073
50. 62		0.021
51. 63		0.032
52. 66		0.016
53. 72		0.024
54. 69		0.028
55. 70		0.041
56. 71		0.010
57. 68		0.004
58. 79		0.057
59. 80		0.040
60. 89		0.073
61. 88		0.275
62. 83		0.081
63. 86		0.008
64. 84		0.146
65. 85		0.040
66. 24		0.016
67. 92		0.057
68. 97		0.226
69. 94		0.113
70. 23		0.065
71. 99		0.040
72. 100		0.129
73. 101/1		0.243
कुल क्षेत्रफल		5.484

[सं.ओ14016/204/84-जी पी]

S.O. 3390.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2916 dt. 24-10-87 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government:

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline :

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

HBJ GAS PIPELINE PROJECT

Village : Raipuria Tehsil Patnawad Distr. Jabalpur

INDEX

S. NO.	KHASRA NO	Right of User Area in Hectare
1.	2.	3.
1.	494	0.057
2.	493	0.129
3.	492	0.202
4.	487	0.121
5.	490	0.028
6.	491	0.033
7.	495	0.265
8.	496	0.129
9.	497	0.010
10.	489	0.024
11.	346	0.162
12.	345	0.220
13.	344	0.005
14.	343	0.005
15.	319	0.049
16.	342	0.057
17.	320	0.008
18.	340	0.052
19.	341	0.251
20.	335	0.049
21.	334	0.005
22.	321	0.005
23.	322	0.005
24.	332	0.058
25.	331	0.058
26.	330	0.142
27.	329	0.081
28.	328	0.081
29.	327	0.049
30.	326	0.005
31.	357	0.344
32.	356	0.041
33.	355	0.005
34.	358	0.024
35.	300	0.037
36.	359	0.129
37.	360	0.137
38.	360	0.137
39.	364	0.021
40.	363	0.053
41.	365	0.024
42.	54	0.101
43.	56	0.029
44.	57	0.002
45.	58	0.008
46.	59/1	0.024
47.	59/3	0.049
48.	59/2	0.024

49.	61	0.073
50.	62	0.02.
51.	63	0.032
52.	66	0.016
53.	72	0.024
54.	69	0.028
55.	70	0.041
56.	71	0.010
57.	68	0.004
58.	79	0.057
59.	80	0.040
60.	89	0.073
61.	88	0.275
62.	83	0.081
63.	86	0.008
64.	84	0.146
65.	85	0.040
66.	24	0.016
67.	92	0.057
68.	97	0.226
69.	94	0.113
70.	23	0.065
71.	09	0.040
72.	100	0.129
73.	101/1	0.243

TOTAL ARBA

5.484

[No. O-14016/204/84-GP]

का. आ. 3391 :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. तारीख द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब यतः उक्त अधिसूचना की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सौंपी

बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम—वेदना तहसील—सारंगपुर जिला—राजगढ़
राज्य :—मध्यप्रदेश

अनुक्रमांक खसरा नं. उपयोग अधिकार अर्जन
का क्षेत्रफल
(हेक्टर में)

1	2	3
1. 830/1	0.118	
2. 829	0.210	
3. 832	0.548	
4. 831	0.013	
5. 833	0.390	
6. 205	0.090	
7. 611	0.119	
8. 616	0.095	
9. 602	0.010	
10. 594	0.044	
11. 587	0.190	
12. 531	0.010	
13. 568	0.045	
14. 570	0.318	
15. 572	0.010	
16. 565	0.010	
17. 543	0.238	
18. 545	0.189	
19. 538	0.207	
20. 539	0.065	
21. 528	0.328	
22. 530	0.011	
23. 533	0.322	
24. 532	0.010	
25. 534	0.198	
26. 482	0.023	
27. 547	0.010	
28. 596	0.012	
29. 708	0.321	
30. 697/2	0.140	
31. 186	0.040	
32. 190	0.050	
33. 208	0.010	
34. 207/1	0.090	
35. 254/3	0.060	
36. 253	0.100	
37. 604	0.040	
38. 603	0.095	

1	2	3
39. 628		0.090
40. 595		0.045
41. 629		0.040
42. 593		0.020
43. 632		0.045
44. 591		0.070
45. 590		0.050
46. 589		0.125
47. 635		0.030
48. 588		0.140
49. 571		0.120
50. 566		0.225
51. 573		0.030
52. 537		0.085
53. 529		0.005
54. 633		0.020
55. 185		0.021
56. 567		0.040
57. 615		0.010
58. 720		0.020
59. 712		0.005
60. 711		0.005
61. 709		0.005
62. 707		0.030
63. 706		0.010
64. 705		0.010
65. 704		0.010
66. 697/1		0.191
67. 183		0.005
68. 184		0.045
69. 187		0.038
70. 180		0.010
71. 189		0.050
72. 211		0.010
73. 210/1 व 2		0.010
74. 207/2		0.020
75. 592		0.010
76. 586		0.014
77. 569		0.005
78. 575		0.005
कुल क्षेत्रफल		6.498

[सं. ओ-14016/76/85-जो पो]

राकेश कक्कर, उप सचिव

S.O. 3391.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2915 dt. 24-10-87 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land)

Act, 1962 (50 of 1962), the Central Government declared its intent on to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (i) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrances.

HBJ GAS PIPELINE PROJECT

Villag:: Dedla Tehsil: Sarangpur District: Rajgarh State: M.P.

SCHEDULE

S. No.	Survey No.	Area to be acquired For R.O.U. (In Hectares)
1.	2.	3.
1.	830/1	0.118
2.	829	0.210
3.	832	0.548
4.	831	0.013
5.	833	0.390
6.	205	0.090
7.	611	0.119
8.	616	0.095
9.	602	0.010
10.	594	0.044
11.	587	0.190
12.	531	0.010
13.	568	0.045
14.	570	0.318
15.	572	0.010
16.	565	0.010
17.	543	0.238
18.	545	0.189
19.	538	0.207
20.	539	0.065
21.	528	0.328
22.	520	0.011
23.	533	0.322
24.	532	0.010
25.	534	0.198
26.	482	0.023

1.	2.	3.
27.	547	0.010
28.	596	0.012
29.	708	0.321
30.	697/2	0.140
31.	186	0.040
32.	190	0.050
33.	208	0.010
34.	207/1	0.090
35.	254/3	0.060
36.	253	0.100
37.	604	0.040
38.	603	0.095
39.	628	0.090
40.	595	0.045
41.	629	0.040
42.	593	0.020
43.	632	0.045
44.	591	0.070
45.	590	0.050
46.	589	0.125
47.	635	0.030
48.	588	0.140
49.	571	0.120
50.	566	0.225
51.	573	0.030
52.	537	0.085
53.	529	0.005
54.	633	0.020
55.	185	0.021
56.	567	0.040
57.	615	0.010
58.	720	0.020
59.	712	0.005
60.	711	0.005
61.	709	0.005
62.	707	0.030
63.	706	0.010
64.	705	0.010
65.	704	0.010
66.	697/1	0.191
67.	183	0.005
68.	184	0.045
69.	187	0.038
70.	188	0.010
71.	189	0.050
72.	211	0.010
73.	210/1 & 2	0.010
74.	207/2	0.020
75.	592	0.010
76.	586	0.014
77.	569	0.005
78.	575	0.005
Total Area		6.498

[No. O-14016/76/85-GP]

RAKESH KACKER, Dy. Secy.

ऊर्जा संत्रालय
(कोयला विभाग)

नई दिल्ली, 19 अक्तूबर, 1988

का. आ. 3392 :—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाययुक्त अनुसूची में उल्लिखित भूमि में कोयला अभि-प्राप्त किए जाने की संभावना है ;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयला का पूर्वेक्षण करने के अपने आशय की सूचना देती है ;

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. सी-1 (ई)/III एफएफ आर/410---0588, तारीख 17 मई, 1988 का निरीक्षण बैस्टन कोल फील्ड्स लिमिटेड (राजस्व विभाग), कोयला एस्टेट सिविल लाइन्स नागपुर-440001 के कार्यालय में या कलकटर, बेतूल (मध्य प्रदेश) के कार्यालय में अथवा कोयला निगमक, 1---काउंसिल हाउस स्ट्रीट के कार्यालय में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में हितवद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से नब्बे दिन के भीतर, राजस्व अधिकारी, बैस्टन कोलफील्ड्स लिमिटेड, कोयला एस्टेट, सिविल लाइन्स नागपुर-440001 महाराष्ट्र को भर्जेंगे।

अनुसूची

तावा विस्तार ब्लॉक

पाथाखेरा क्षेत्र

जिला बेतूल (मध्य प्रदेश)

अनुसूची (क)

क्रम सं. जंगल का नाम	खाना सं.	तहसील	जिला	क्षेत्रफल हैक्टर में	टिप्पणियाँ
1. मध्य प्रदेश सरकार का आसिर आरक्षित वन	396	बेतूल	बेतूल	79-219	भाग
2. मध्य प्रदेश सरकार का आसिर आरक्षित वन	379	बेतूल	बेतूल	283.691	भाग
3. मध्य प्रदेश सरकार का आसिर आरक्षित वन	398	बेतूल	बेतूल	98.078	भाग
4. मध्य प्रदेश सरकार का आसिर आरक्षित वन	400	बेतूल	बेतूल	66.265	भाग
कुल क्षेत्र या		527.253 हैक्टर (लगभग)		1302.84 एकड़ (लगभग)	

अनुसूची (ख)

क्रम संख्या स्वामी का नाम	तहसील	जिला	क्षेत्र हैक्टर में	टिप्पणियाँ
1. मध्य प्रदेश का नाम पुनर्वासि विभाग	बेतूल	बेतूल	162.000	भाग
2. मध्य प्रदेश विद्युत बोर्ड सारणी	बेतूल	बेतूल	64.000	भाग
कुल क्षेत्र या	226.000 हैक्टर (लगभग)		558.44 एकड़ (लगभग)	

कुल योग (क) + (ख)

735.253 हैक्टर (लगभग)

या

1861.28 एकड़ (लगभग)

सीमा वर्णन:—

द-ख:— रेखा "क" बिन्दु से आरम्भ होती है और कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन का. आ. 2617 तारीख 9 सितम्बर, 1978 द्वारा अधिसूचित पाथाखेरा ब्लॉक 3 की उत्तरी सीमा के साथ चलती हुई "ख" बिन्दु पर मिलती है।

ख—ग:— रेखा कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अर्जन का. आ. सं. 2617 तारीख 9 सितम्बर, 1978 द्वारा अधिसूचित पाथाखेरा ब्लॉक 3 की पूर्वी सीमा के साथ साथ जाती है और "ग" बिन्दु पर मिलती है।

ग—घ:— रेखा मध्य प्रदेश विद्युत बोर्ड द्वारा धारित भूमि से होकर भागतः जाती है और तब आरक्षित वन की पूर्वी सीमा के साथ चलती है और बिन्दु "घ" पर मिलती है।

ख—ङ:— रेखा खाना संख्याक 395 और 396 की सम्मिलित सीमा के साथ साथ चलती है, तब आसिर आरक्षित वन के खाना सं. 396 से होकर जाती है तथा "ङ" बिन्दु पर खाना सं. 396 की उत्तरी सीमा मिलती है।

ङ—च:— रेखा खाना सं. 396 और 397 की उत्तरी सीमा के साथ साथ चलती है और बिन्दु "च" पर मिलती है।

घ—छ:— रेखा पुनर्वास क्षेत्र की पूर्वी सीमा के साथ साथ जाती है फिर उसी क्षेत्र से होकर गुजरती है और "छ" बिन्दु पर मिलती है।

—क:— रेखा पुनर्वास क्षेत्र की पश्चिमी सीमा के साथ साथ जाती है और आरम्भिक बिन्दु "क" पर मिलती है।

[सं० 43015/8/88-एल० एस० डब्ल्यू०]

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 19th October, 1988

S.O. 3392 .—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing No. C-1(E)/III/FFA/410-0538 dated the 17th May, 1988, of the area covered by this notification can be inspected at the office of the Western Coalfields Limited (Revenue Department), Coal Estate Civil Lines, Nagpur-440001 or at the office of the Collector, Betul (Madhya Pradesh) or at the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of the section 13 of the said act to the Revenue Officer, Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur-440001 (Maharashtra) within ninety days from the date of publication of this notification.

SCHEDULE

TAWA EXTENTION BLOCK

PATHAKHERA AREA

District Betul (Madhya Pradesh)

SCHEDULE (A)

Serial number	Name of forest	Compartment number	Tahsil	District	Area in hectares	Remarks
1.	Asir Reserve Forest of Government of Madhya Pradesh.	396	Betul	Betul	79.219	Part
2.	Asir Reserve Forest of Government of Madhya Pradesh.	397	Betul	Betul	283.691	Part
3.	Asir Reserve Forest of Government of Madhya Pradesh.	398	Betul	Betul	98.078	Part
4.	Asir Reserve Forest of Government of Madhya Pradesh.	400	Betul	Betul	66.265	Part
Total area:					527.253 hectares (approximately) or 1302.84 acres (approximately)	

SCHEDULE (B)

Serial number	Name of owner	Tahsil	District	Area in hectares	Remarks
1.	Rehabilitation Department of Madhya Pradesh.	Betul	Betul	162.000	Part
2.	Madhya Pradesh Electricity Board, Sami.	Betul	Betul	64.000	Part
Total area:				226.000	hectares (approximately)
				or	558.44 acres (approximately)
Grand Total (A + B) :				753.253	hectares (approximately)
				or	1861.28 acres (approximately)

Boundary description :

A-B:	Line starts from point 'A' and passes along the northern boundary of Pathakhhera Block-III notified under section 9(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 2617, dated the 9th September, 1978 and meets at point 'B'.
B-C:	Line passes along the eastern boundary of Pathakhhera Block-III notified under section 9(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 2617 dated the 9th September, 1978 and meets at point 'C'.
C-D :	Line passes partly through the land held by Madhya Pradesh Electricity Board and then along the eastern boundary of Reserve Forest and meets at point 'D'.
D-E:	Line passes along the common boundary of compartment number 395 and 396, then proceeds through compartment number 396 of Asir Reserve Forest and meets on the northern boundary of compartment number 396 at point 'E'.
E F :	Line passes along the northern boundary of compartment number 396 and 397 and meets at point 'F'.
F G :	Line passes along the eastern boundary of the rehabilitation Area then proceeds through the same area and meets at point 'G'.
G A :	Line passes along the western boundary of the rehabilitation Area and meets at starting point 'A'.

[No. 43015/8/88-LSW]

का. आ. सं. 3393 .--केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) की धारा 4 की उपधारा (1) के अधीन भारत के राजपत्र, भाग 2, खंड 3 उपखंड (ii) तारीख 8 अगस्त, 1987 में प्रकाशित, भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) को अधिपूचना सं. का. आ. 2000 तारीख 22 जुलाई, 1987 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में, जिसका माप 953.39 हेक्टर (लगभग) या 2355.92 एकड़ (लगभग) है, कायदे का पूर्वेक्षण करने के अपने आशय को सूचना दी थी :

और केन्द्रीय सरकार का यह समाधान होगया है कि उक्त भूमि के भाग में कोयला प्राप्त करने की संभावना है ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्न लिखित अर्जित करने के अपने आशय को सूचना देती है:--

(क) इससे संलग्न अनुसूची "क" में वर्णित 169.95 हेक्टर (लगभग) या 419.96 एकड़ (लगभग) माप वाली भूमि ;

(ख) इससे संलग्न अनुसूची "ख" में वर्णित 45.80 हेक्टर (लगभग) या 113.18 (लगभग) माप वाली भूमि में खनिजों के खनन, खुदान बोर करने, उनकी खुदाई करने और खनिजों के नालाग करने उन्हें प्राप्त करने, उस पर कार्य करने और उन्हें ले जाने के अधिकार ।

टिप्पण:--1. इस अधिसूचना के अधीन आने वाले क्षेत्र के सं. सी--1 (ई) III/जे जे आर 404/0388, तारीख 30-3-88 वाले रेखांक का निरीक्षण कलक्टर चन्द्रपुर (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1 काउंसिल स्ट्रीट, कलकत्ता के कार्यालय में या वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) कोल एग्जेट, मिबिल लाइन्स, नागपुर-440001 (महाराष्ट्र) के कार्यालय में किया जा सकता है।

टिप्पणः—2 कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उप-बंधों की ओर ध्यान आकृष्ट किया जाता है जिसमें निम्नलिखित उपबंध हैं:—

“8. अर्जन के प्रति आक्षेप

- (1) किसी ऐसी भूमि में, जिसकी बाबत धारा 7 के अधीन अधिसूचना जारी की गई है, हितवद्ध कोई व्यक्ति अधिसूचना जारी की जाने के तीसरे दिन के भीतर सम्पूर्ण भूमियाँ उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों के अर्जन के प्रति आक्षेप कर सकेगा।

स्पष्टीकरण—इस धारा के अर्थान्तर्गत यह आक्षेप नहीं माना जाएगा कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन संक्रियाएं करना चाहता है और ऐसी संक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) उपधारा (1) के अधीन प्रत्येक आक्षेप मक्षम प्राधिकारी को लिखित रूप में किया जाएगा और मक्षम प्राधिकारी आक्षेपकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसे सभी आक्षेपों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच यदि कोई है, करने के पश्चात् जो वह आवश्यक समझता है वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आक्षेपों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्टें केन्द्रीय सरकार को उसके विनिश्चय के लिए भेज देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितवद्ध समझा जायेगा जो प्रतिकर में हित का दावा करने का हकदार होता यदि भूमि या भूमि में या उस पर अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते।”

टिप्पण 3 केन्द्रीय सरकार ने कोयला नियंत्रक, काऊंसिल हाउस स्ट्रीट, कलकत्ता को अधिनियम के अधीन मक्षम प्राधिकारी नियुक्त किया है।

अनुसूची “क”

दिउल बाड़ा-ब्लाक

वाणी क्षेत्र

जिला-चन्द्रपुर (महाराष्ट्र)

सभी अधिकार

क्रम सं.	ग्राम का नाम	पटवारी सिकल सं.	तसहील	जिला	टिप्पणियाँ
1.	दिउल बाड़ा	4	भद्रावती	चन्द्रपुर	107.56 भाग
2.	कुणाद	28	भद्रावती	चन्द्रपुर	62.39 भाग
योग :				169.95 हेक्टर (लगभग)	
				या	
				419.96 एकड़ (लगभग)	

दिउलबाड़ा ग्राम में अर्जित किए जाने वाले प्लॉट संख्यांक :

39 भाग, 47 भाग, 49 से 78, 80, 82 88, 89 भाग, 91, 103 से 106, 130, 454 सड़क भाग और नाला भाग :
कुणाद ग्राम में अर्जित किए जाने वाले प्लॉट संख्यांक :

202 से 227, 363 सड़क भाग और नाला भाग।

सीमा बणन :

क-ख--रेखा “क” बिन्दु से आरंभ होती है और कवाडी और कुणाद और कवाडी और दिउलबाड़ा ग्राम की सम्मिलित ग्राम सीमा के साथ साथ जाती है और “ख” बिन्दु पर मिलती है।

ख-ग--रेखा कवाडी और दिउलबाड़ा, माजरी और दिउलबाड़ा ग्रामों की सम्मिलित सीमा के साथ साथ जाती है और नाला पार करती है तथा बिन्दु “ग” पर मिलती है।

ग-घ--रेखा दिउल बाड़ा ग्राम से होकर कोण्डा नाला की पूर्वी सीमा के साथ साथ जाती है और बिन्दु “घ” पर मिलती है।

- घ-ड--दिउल बाड़ा ग्राम से होकर प्लाट संख्यांक 82, 80, 72, 76, 73, 91, 89, 103, 105, 106 मड़क (भाग) की बाहरी सीमा के साथ साथ जाती है, मड़क पार करती है, और तब प्लाट सं. 130 की बाहरी सीमा के साथ साथ चलती है और बिन्दु "छ" पर मिलती है।
- ड-च रेखा दिउल बाड़ा ग्राम से होकर, प्लाट संख्यांक 130 मड़क (भाग) की बाहरी सीमा के साथ चलती हुई मड़क पार करती है फिर प्लाट सं. 39 में प्लाट सं. 106, 104, 103, 88, 89, 91, 70, 69, 68 की बाहरी सीमा के साथ साथ चलती है और प्लाट सं. 47 में प्लाट सं. 49 की बाहरी सीमा के साथ चलती हुई "च" बिन्दु पर मिलती है।
- च-छ रेखा कुणाद ग्राम से होकर प्लाट सं. 202, 205, 206, 207, 223, 224, 225 की बाहरी सीमा के साथ साथ जाती है और "छ" बिन्दु पर मिलती है।
- छ-क रेखा कुणाद ग्राम से होकर प्लाट सं. 225, 226, 227, 220, 219 की बाहरी सीमा के साथ साथ जाती है, तत्पश्चात् कुणाद और गोवाडी ग्राम की सम्मिलित सीमा के साथ साथ चलती हुई, अंशिक बिन्दु "क" पर मिलती है।

अनुसूची "ख"

दिउलवाड़ा ब्लॉक

वाणी क्षेत्र

जिला--चन्द्रपुर (महाराष्ट्र)

खतन अधिकारी

क्रम सं.	ग्राम का नाम	पटवारी सर्किल सं.	तहसील	जिला	क्षेत्र हेक्टरों में	टिप्पणियां
1.	दिउलवाड़ा	4	भद्रावती	चन्द्रपुर	45.10	भाग
2.	दिउलवाड़ा (खमरा सं. 79)	4	भद्रावती	चन्द्रपुर	0.70	भाग
योग				45.80 हेक्टर (लगभग)	या 113.18 एकड़ (लगभग)	

दिउलवाड़ा ग्राम में अर्जित किए जाने वाले प्लाट संख्यांक :

79, 81, 83, 87, 90, 107 से 129, 131, 132 और मड़क भाग

सीमा वर्णन : भाग-1

- ग-घ रेखा बिन्दु "ग" से आरंभ होती है और ग्राफ दिउलवाड़ा से होकर गुजरती है और प्लाट संख्यांक 132, 131, 129, 127, 119, 126, 125, 124, 123, 122, 121, 120 मड़क 118, 115, 114, 113, 111, 85, 84, 83 की बाहरी सीमा के साथ साथ चलती हुई "घ" बिन्दु पर मिलती है।

ड-ग रेखा दिउलवाड़ा ग्राम से होकर प्लाट संख्यांक 85, 81, 87, 110, 109, 107, मड़क 129, 131, 132 की बाहरी सीमा के साथ साथ चलती हुई "ग" बिन्दु पर मिलती है।

भाग-2

- ज-झ-ञ रेखा "ज" बिन्दु से आरंभ होती है और दिउलवाड़ा ग्राम होकर प्लाट सं. 79 की बाहरी सीमा के साथ साथ चलती हुई बिन्दु "ज" पर मिलती है।

[सं. 43015/9/87-सीए/एस एस डब्ल्यू]

बी.बी. राव, अवर सचिव

S. O. 3393.—Whereas by the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O. 2000 dated the 22nd July, 1987 under sub section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (2 of 1957) published in Part II, Section 3, Sub-Section (ii) of the Gazette of India dated the 8th August, 1987, the Central Government gave notice of its intention to prospect for coal in 953.39 hectares (approximately) or 2355.92 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And whereas the Central Government is satisfied that coal is obtainable in a part of the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire;

(a) the lands measuring 169.95 Hectares (approximately) or 419.96 acres (approximately) described in Schedule 'A' appended hereto;

(b) the rights to mine, quarry, bore, dig and search for win, work and carry away minerals in the lands measuring 45.80 hectares (approximately) or 113.18 acres (approximately) described in Schedule 'B' appended hereto;

Note : 1. The plan bearing No. C-1(E)III/JJR/404-0388 dated 30-3-1988 of the area covered by this notification may be inspected in the Office of the Collector, Chandrapur (Maharashtra) or in the Office of the Coal Controller-1, Council House Street, Calcutta or in the Office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440001 (Maharashtra).

Note : 2. Attention is hereby invited to the provisions of section 8 of the aforesaid Act which provides as follows :

OBJECTIONS TO ACQUISITION :

"8(1) Any person interested in any land in respect of which a notification under section 7 has been issued may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation—It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections, and after making such further enquiry, if any, as he thinks necessary, either makes a report in respect of the land which has been notified under sub-section (1) of section 7 of rights in or over such land or make different reports in respect of different parcels of such land or of rights in or over such land to the Central Government, containing his recommendations on the objections together with the record of the proceedings held by him or for the decision of that Government.

(3) For the purpose of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

NOTE : 3. The Coal Controller-1, Council House Street, Calcutta, has been appointed by the Central Government as the competent authority under the Act.

SCHEDULE 'A'

DEULWADA-BLOCK

WANI AREA

DISTRICT-CHANDRAPUR (MAHARASHTRA)

ALL RIGHTS

Sl. No.	Name of Village	Patwari Circle No.	Tashil	District	Area in Hectares	Remarks
1	2	3	4	5	6	7
1.	DEULWADA	4	Bhadravati	Chandrapur	107.56	Part
2.	KUNAD	28	Bhadravati	Chandrapur	62.39	Part
Total					169.95 hectares (approximately) or 419.96 Acres (approximately)	

Plot numbers to be acquired in village DEULWADA.

39 part, 47 part, 49 to 78, 80, 82, 88, 89 part, 91, 103 to 106, 130, 454, road part and nallah part.

Plot numbers to be acquired in village—KUNAD.

202 to 227, 263 road part and nallah part.

BOUNDARY DESCRIPTION :

- A—B Line starts from point 'A' and passes along the common village boundary of villages Rawadi and Kunad, Kawadi and Deulwada and meets at point 'B'.
- B—C Line passes along the common village boundary of villages Kawadi and Deulwada, Majri and Deulwada, crosses nallah and meets at point 'C'.
- C—D Line passes through village Deulwada along the eastern boundary of Konda Nallah and meets at point 'D'.
- D—E Line passes through village Deulwada along the outer boundary of plot numbers 82, 80, 77, 76, 73, 91, 89, 88, 103, 105, 106 road (part) crosses the road then along the outer boundary of plot No. 130 and meets at point 'E'.
- E—F Line passes through village Deulwada along the outer boundary of plot numbers 130 road (part) crosses road then along the outer boundary of plot numbers 106, 104, 103, 88, 89, 91, 70, 69, 68 in plot number 39 along the outer boundary of plot number 49 in plot number 47 and meets at point 'F'.

F—G Line passes through village Kunad along the outer boundary of plot numbers 202, 203, 206, 207, 223, 224, 225 and meets at point 'G'.

Line passes through village Kunad along the outer boundary of plot numbers 225, 226, 227, 220, 219, then proceed along the common village boundary of villages Kunad and Gowari and meets at starting point 'A'.

SCHEDULE 'B'
DEULWADA BLOCK
WANI AREA
DISTRICT-CHANDRAPUR (MAHARASHTRA)

MINING RIGHTS

Serial Number	Name of Village	Patwari circle number	Tahsil	District	Area in Hectares	Remarks
1.	Deulwada	4	Bhadravati	Chandrapur	45.10	Part
2.	Deulwada (Khasra No. 79)	4	Bhadravati	Chandrapur	0.70	Part
Total					45.80 hectares (approximately) or 113.18 acres (approximately)	

Plot numbers to be acquired in village—Deulwada.

79, 81, 83 to 87, 90, 107 to 129, 131, 132 and road part.

BOUNDARY DESCRIPTION :—Part-I.

C—D Line starts from point 'C' and passes through village Deulwada along the outer boundary of plot numbers 132, 131, 129, 127, 119, 126, 125, 124, 123, 122, 121, 120, Road, 118, 115, 114, 113, 111, 85, 84, 83 and meets at point 'D'.

D—E—C Line passes through village Deulwada along the outer boundary of plot numbers 85, 81, 90, 87, 110, 109, 107, Road, 129, 131, 132 and meets at starting point 'C'.

PART-II

H—I—J—K Line starts from point 'H' and passes through village Deulwada along the outer boundary of plot No. 79 and meets at starting point 'H'.

[No. 43015/9/87-CA/LSW]
B.B. RAO, Under Secy.

वस्त्र मंत्रालय

वस्त्र उद्योग समिति

बंबई, 19 अक्टूबर, 1988

का. मा. 3394 —वस्त्र उद्योग समिति अधिनियम, 1963 (1963 का 41वाँ) के खंड 23 संपठित खंड 4 के उपखंड (2) की धाराएं (ग) और (घ) और मिल में बने कांटेन यानों निरीक्षण विनियमों, 1966 को प्रतिस्थापित करने हुए, प्रतिस्थापन पूर्ण की जाने वाली क्रियाओं अथवा की जाने योग्य हटायी गयी के अतिरिक्त, वस्त्र उद्योग समिति, केन्द्रीय सरकार की पूर्वानुमति से, नियमित हेतु बने वस्त्रों के निरीक्षण मानकों को आस्थापित करने हुए तथा लागू निरीक्षण प्रकारों का विनिर्देश करने हुए निम्न विनियम बनाती हैं, यथा :—

1. संक्षिप्त नाम एवं प्रारम्भण :

- (1) ये विनियम मिल में निर्मित कांटेन यानों निरीक्षण विनियम, 1988 कहलाएंगे।
- (2) ये विनियम सरकारी राजपत्र में प्रकाशित होने के दिन से ही लागू होंगे।

2. परिभाषाएं :

इन विनियमों में, जब तक संदर्भ न हो तब तक आवश्यक रूप से,

(क) "समिति" से तात्पर्य है, वस्त्र उद्योग समिति अधिनियम, 1963 (1963 का 41वाँ) के खंड 3 के अंतर्गत आस्थापित वस्त्र उद्योग समिति.

(ख) "दोषपूर्ण चीज" से तात्पर्य है निम्न में से एक या अधिक दोषों से मुक्त चीज :—

- (अ) म्लायम चीज,
- (आ) किसी भी ओर अधिक मिलाई (टांका) का होना,
- (इ) सुस्पष्ट धब्बे,
- (ई) टुकड़ा चीज
- (उ) कटे हुए धागा,

(ग) "दोषपूर्ण कोन" से तात्पर्य है निम्न में से एक या अधिक दोषों से मुक्त कोन :—

- (अ) आधार से 2.5 मी. की लंबाई से अधिक की मिलाई (टांके)
- (आ) प्रारंभ से अधिक मिलाई (टांके) का होना,
- (इ) होजियरी यार्न के अलावा यार्न के मामले में म्लायम कोन।
- (ई) बरी तरह से उखा कोन
- (उ) सुस्पष्ट धब्बे,
- (ऊ) कटे हुए धागे,
- (ए) जहां विनिर्दिष्ट हो वहां अंतिम छोर का न होना (अंतिम छोर की लंबाई 30 से मी. से कम नहीं होनी चाहिए),

(घ) "दोषपूर्ण हैन्क" से तात्पर्य है निम्न में से एक या अधिक दोषों से मुक्त हैन्क :—

- (अ) ठीक प्रकार में लच्छी (सी) कान बनाना
- (आ) प्रारंभ व अंत के छोरों का बंधन यार्न से न बंधा होना,
- (इ) उलझा होना
- (ई) लंबे अंतिम छोर से अधिक गांठों का लगा होना,
- (ए) कड़े अपशिष्ट पदार्थ की उपस्थिति,
- (ऐ) अत्यधिक बटाई (फेंठन) का होना, अनियमित बटाई का होना अथवा पार्सल यार्न के संबंध में कार्क-स्क प्रभाव होना,
- (ओ) दोहरे करण से गलत काउंट का प्रयोग।
- (औ) सुस्पष्ट धब्बे।
- (ऊ) "निरीक्षक" से तात्पर्य है मान निरीक्षण हेतु नियुक्त व्यक्ति,
- (न) "लटि" से तात्पर्य है एकनियत काउंट व गुणवत्ता के अभिप्राय वाले मान की माछा,
- (छ) "माल" से तात्पर्य है मिल में कता हुआ पूर्णतः बॉटन (मूती) यार्न तथा जिसमें निम्न का समावेश न हो :—
- (अ) अपशिष्ट कपास से बना हुआ यार्न,
- (आ) तिहरा या अधिक परतों का यार्न
- (इ) मिलाई का धागा,
- (ई) नमूने, बशर्ते कि प्रत्येक उप नमूने पर "नमूना" सुस्पष्ट अक्षरी में लिखा हुआ हो और पूरा परीक्षण 500 किलोग्राम से अधिक का न हो।

(ज) संघटक (सेक-अप) से तात्पर्य है :—

(अ) बंडल के संबंध में :—

1. बंडल का कुल वास्तविक भार,
2. एक अथवा अनेक हैन्क युक्त है, सीधी अथवा तिरछा लपेटा गया है,
3. प्रत्येक बंडल में गांठों की संख्या,
4. प्रत्येक तैयार पैकेज में बंडलों की संख्या,

(आ) चीज यार्न के संबंध में :—

1. चीज का कुल वास्तविक भार,
2. रिक्त चीज का प्रकार,
3. प्रत्येक तैयार पैकेज में घटित चीज संख्या,

(इ) कोन यार्न के संबंध में :—

1. कोन का वास्तविक भार,
2. रिक्त कोन का प्रकार,
3. कोन का कोण (एंगल),
4. प्रत्येक तैयार पैकेज में कोन की संख्या.

(झ) "तालिका" में तारपर्यं है इन विनियमों के साथ मेलाने वाला।

3 माल का प्रस्तुतीकरण

- (क) निरीक्षण हेतु माल का प्रस्तुतीकरण बल कैसे, बंग, काटने अथवा समय-समय पर समिति द्वारा निर्धारित अन्य किसी प्रकार से और विदेशी क्रेता की आवश्यकताओं के अनुरूप पैक करके किया जाना चाहिए।
- (ख) माल का प्रस्तुतीकरण 20 टन तक के आकार वाले पैकेजों में किया जा सकेगा जो कि 100 तैयार पैकेजों से अधिक नहीं होगा।
- (ग) माल का प्रस्तुतीकरण केवल उसी स्थल पर किया जा सकेगा जहाँ पर निम्न सुविधाएँ उपलब्ध हों :—
- (अ) खोलने तथा पैक करने की,
- (ब) लपेटने खोलने का (रिवार्डिंग) परीक्षण करने की, तथा
- (म) परीक्षण हेतु प्रकार की समुचित व्यवस्था हो।
- (घ) परीक्षण हेतु प्रकार की समुचित व्यवस्था हो।
- (च) निरीक्षण हेतु सारा माल नियत तिथि व समय पर प्रस्तुतीकरण स्थल पर, सभी पैकेजों पर तंत्र डाल कर और निर्धारित तरीके से तार व सील लगा कर, तैयार रखा जाना चाहिए।

4 भौतिक निरीक्षण के मानदण्ड :

विनियमों में विदर्शित नमूना योजना के आधार पर ही निम्न का निरीक्षण किया जा सकेगा :—

- (क) पैकिंग :
- (अ) भारतीय मानक ब्यूरो/समिति द्वारा निर्धारित तरीके से पैकिंग प्रकार तथा पैकिंग माल की गुणवत्ता का अर्थ,
- (ब) विदेशी क्रेता के निर्दिष्टन के अनुसार।
- (ख) पैकेजों में दोष का :
- नमूना योजना (सैम्पलिंग प्लान) के आधार पर दोगुण कोन/चीज/हैन्को का
- (ग) रंग सापृष्यीकरण :—
- विरंजित/रंगीन यार्न के संबंध में माल की रंग/गैड/शुद्धता की तुलना विदेशी क्रेता द्वारा अनुमोदित नमूने के साथ की जायेगी और इसकी अनुपस्थिति नियंत्रक द्वारा उपलब्ध कराए के अनुसार की जायेगी।
- (घ) लपेटने खोलने (रिवार्डिंग) का परीक्षण :—

मिलों में अपनायी जाने वाली गति पर तथा 550 एम/मीटर प्रति मिनट से कम नहीं व यार्न के व्यास के 2½ गुन का स्लव कैचर मेटिंग और निम्न सूत्र के आधार पर प्राप्त नवाय सहित

$$\text{यार्न का व्यास} = \frac{1}{28} \sqrt{\text{अंग्रेजी (ब्रिटिश) काउंट}}$$

तनाव घेन में = 4 × काउंट के लिए आवश्यक ली शक्ति + 28

नोट : 1. यद्यपि कि, मिलें जहाँ अन्य प्रकार के स्लव कैचर है के संबंध में, रिवार्डिंग परीक्षण समय-समय पर समिति द्वारा निर्धारित मानदंडों के आधार पर किया जायेगा।

2. संसाधित यार्न के संबंध में रिवार्डिंग परीक्षण लागू नहीं होगा।

5 नमूनों का आहरण तथा परीक्षण मानदंड :—

यदि किए गए निरीक्षण के आधार पर माल स्वीकृति योग्य पाया जाता है तो, करार अथवा निम्न प्राचलों (पैरामेटर्स) को नियंत्रित करने वाले इन विनियमों में विहित न्यूनतम मानकों के अनुरूप, विनिर्दिष्ट नमूना योजना के अनुसार नमूनों का आहरण जांच के लिए किया जायेगा।

(क) काउंटर—करार में विनिर्देशन के अनुसार

नोट—प्रत्यक्ष बटारी (टिक्स्ट) वाले दोहरे यान के मामले में, तालिका में विनिर्देशन के अनुसार काउंट का निर्धारण इकहरे बटक के परीक्षण के आधार पर किया जायेगा।

(ख) यान का भिन्नता गुणांक—इन विनियमों में निर्धारित मानकों के अनुरूप अथवा करार में दिये गये अनुबंधों जो भी युक्ति-मुक्त हों के अनुरूप।

(ग) शक्ति/काउंट—शक्ति उत्पाद (काउंट स्ट्रेथ प्राडक्ट्स)—करार में निर्धारण के अनुसार और इन विनियमों में काउंट-शक्ति (मजबूती) उत्पाद के लिए निर्धारित मानकों के अनुरूप हों। यद्यपि, करार में इकहरे सूत की शक्ति अथवा आर. के. एम. का अनुबंध है, यो ली (नच्छी) शक्ति तथा काउंट शक्ति उत्पाद लागू नहीं होगा, यदि करार के अनुबंध के अधीन काउंट-शक्ति उत्पाद का ज्ञात किया गया है तथा नीचे दिया गया सूत्र (फार्मूला) है काउंट शक्ति उत्पाद को प्राप्त करने के लिए न्यूनतम मानक से कम नहीं है वरन् कि करार में इकहरे सूत का भिन्नता गुणांक का भी अनुबंध हो।

$$\text{काउंट-शक्ति-उत्पाद} = 147 \times \text{आर.के.एम.}$$

(घ) शक्ति (स्ट्रेथ) का मिलता गुणांक—

ली शक्ति (ली स्ट्रेथ) के आधार पर अथवा शक्ति का भिन्नता गुणांक इकहरे सूत के आधार पर यदि करार अनु-बंधित करता हो तो।

(ङ) यान प्रतीति (अपीयरेंस) अमेरिकन सोसायटी फॉर टेस्टिंग एंड मटेरियल्स के अनुसार किया जाय और यान को रोटार स्पिनिंग का घोषित करने पर, यान प्रतीति अमेरिकन सोसायटी फॉर टेस्टिंग एंड मटेरियल्स के आधार पर अथवा असमता प्रतिशत द्वारा किया जाय।

(च) टिक्स्ट की दिशा जैसा कि करार में बताया गया है अथवा उसकी अनुपस्थिति में निर्यातक की घोषणा के अनुसार यान को रोटार स्पिनिंग का घोषित करने पर यह लागू नहीं होगा।

(छ) टिक्स्ट (टी.पी.एम./टी पी आई/टी एम आदि) जैसा कि करार में वांछित है और होजिरी यान के संबंध में जैसा कि इन विनियमों में प्रविष्ट है। यान को रोटार स्पिनिंग का घोषित करने पर यह लागू नहीं होगा।

(ज) मसरीकरण जैसा कि करार में वांछित है और उसकी अनुपस्थिति में जैसा कि इन विनियमों में प्रविष्ट है।

(झ) कोई अन्य प्राचल (पैरामीटर) जिसका परीक्षण प्रक्रिया सहित स्वीकृति के मानक का स्पष्ट उल्लेख करार में हो।

नोट : काउंट, स्ट्रेथ तथा टिक्स्ट पर इंध के परीक्षण क्रमशः भारतीय मानक : 1315-1977 (पहला संशोधन भारतीय मानक : 1671-1977 (पहला संशोधन) तथा भारतीय मानक : 832-1985 (पहला संशोधन) के अनुरूप किये जायेंगे।

6. नमूना योजना :

(क) तैयार पैकेजों के लिए :—

तैयार पैकेजों का 10% जो कि कम से कम 2 अधिक से अधिक 10 होंगे का या यादृच्छिक (रैंडम) नमूना आधार पर यादृच्छिक नंबरों की तालिका का प्रयोग करते हुए किया जाएगा तथा मिश्रित रंगान यान के संबंध में, पैकेजों का चयन रैंडम आधार पर इस प्रकार किया जायेगा जिससे कि अधिक से अधिक रंगों के प्रतिनिधित्व का चयन हो तथा सभी उप-पैकेजों जैसे बंडलों/कोन/बीज आदि को भी उपयुक्त प्रतिनिधित्व मिले।

(ख) उप-पैकेजों के लिए :—

छाने गए तैयार पैकेजों में से हेन्क यान के मामले में 15 बंडल तथा अन्य प्रकार के उप-पैकेजों के मामले में 30 उप-पैकेजों का प्रतिनिधित्व रूप में चयन करना चाहिए।

(ग) दोषयुक्त के संबंध में :—

पहला नमूना : सभी तैयार पैकेजों में से 40 कोन/बीज/हेन्क का प्रतिनिधित्व रूप में आहरण किया जाय।

दूसरा नमूना :—यदि पहले नमूने के आधार पर स्वीकृति का निर्धारण न किया जा सके तो, पहले नमूने की ही तरह दूसरे नमूने का आहरण किया जायेगा।

(घ) रिवाइडिंग परीक्षण :—दोषपूर्ण संबंध में चयनित 40 कोनों में से 20 कोन लेकिन न दोषयुक्त न हो।

(ङ) परीक्षण हेतु नमूनों का आहरण करना :—

(अ) हेन्क यान के संबंध में 15 नमूने तथा अन्य के संबंध में 30 नमूनों का आहरण चयनित उप-पैकेजों में से प्रतिनिधि रूप में किया जायेगा।

(ब) हेन्क यान के संबंध में नमूने का आकार एक हेन्क या हेन्क के गुणकों में होगा जैसी भी स्थिति होगी, और अन्य प्रकारों जैसे कोन/बीज इत्यादि के मामले में, छोटे (मिनी) कोन/बीज इत्यादि का एक नमूना, जो कि आधे से एक हेन्क के बराबर होगा को, प्रत्येक चयनित उप-पैकेज में से आहरित किया जायेगा।

- (म) जहाँ नमी धारिता/पुनः प्राप्त करने के परीक्षण करने की आवश्यकता है वहाँ समूहाकरण के लिए चयनित उप-पैकेजों में से रैंडम आधार पर पांच उप-पैकेजों से लगभग 20 ग्राम के भार वाले पांच नमूने आहरित किए जायेंगे।
- (न) अन्य विभिन्न परीक्षणों हेतु प्रयोगशाला जांच के लिए आवश्यकतानुसार अतिरिक्त नमूनों को आहरित किया जाएगा।
7. समिति के अतिरिक्त किसी अन्य एजेंसी द्वारा निरीक्षण—
- (क) यदि विदेशी क्रेता नौवहन पूर्व माल के निरीक्षण हेतु अन्य निरीक्षण एजेंसी को नामित करता है तो माल का निरीक्षण समिति द्वारा नहीं किया जाएगा, बशर्ते—
- (अ) यदि इन विनियमों में निर्धारित न्यूनतम गुणवत्ता मानकों से विदेशी क्रेता के मानक अधिक कठोर अथवा युक्त हो, और
- (ब) यदि, गैर सरकारी एजेंसी के लागू निरीक्षण प्रक्रिया व मानक समिति को स्वीकार्य हों।
- (ख) माल को विदेशी सरकारी एजेंसी द्वारा खरीदा जाने के संबंध में यदि उनके निरीक्षण अथवा उनके प्रतिनिधि अथवा प्राधिकृत एजेंसी द्वारा माल नौवहन पूर्व निरीक्षण किया जाता है तो माल का निरीक्षण समिति द्वारा नहीं किया जायेगा बशर्ते कि नीचे दी गयी स्थितियों का स्पष्ट दुरुपकरण हो तो—
- (अ) विदेशी सरकार अथवा उसके प्राधिकृत एजेंसी द्वारा अनुरोध प्राप्त हुआ हो कि इस विनियमों के आधार पर वस्तु उद्योग समिति द्वारा किए जाने वाले निरीक्षण के बबले स्वयं निरीक्षण करने हेतु उत्सुक है।
- (ब) विदेशी सरकार की क्रेता एजेंसी यदि यह आप्पासन देती है कि यह एकबार अपनी एजेंसी द्वारा मानक स्वीकृत कर ग्राह्य कर लेने के पश्चात गुणवत्ता संबंधी कोई आपत्ति नहीं उठाएगी।
- (म) प्रस्तुत निरीक्षक/एजेंसी के निरीक्षण संबंधी न्यूनतम मानक तथा उस निरीक्षक/अथवा एजेंसी द्वारा अपनाए गए तरीके व प्रक्रियाएँ उचित हैं तथा वस्तु उद्योग समिति को स्वीकार्य है, इस कार्य हेतु वस्तु उद्योग समिति एक बार में एक वर्ष के लिए उनकी मान्यता प्रदान कर सकती है।

नोट: मान्यता अवधि के दौरान, यदि किन्हीं लिखित कारणों से आवश्यक हुआ तो वस्तु उद्योग समिति के पास किसी भी समय आकस्मिक निरीक्षण करने का अधिकार है।

8. स्वप्रमाणन :—

जिन मिलों का निर्यात के संबंध में यानों की गुणवत्ता का अच्छा रिकार्ड रहा है, के द्वारा प्रस्तुत माल का निरीक्षण समिति द्वारा समय-समय पर इस संबंध में लॉटों का चयनित निरीक्षण हेतु किए गए, निर्णयों के अनुसार इन विनियमों के साथ संलग्न अनुलग्नक-1 के आधार पर किया जा सकता है। अनुलग्नक-1 में विनिर्दिष्ट प्रक्रियाओं तथा सुरक्षा मानकों के आधार पर किसी भी मिल को स्वप्रमाणन की सुविधा देने का प्राधिकार समिति को है।

9. अस्वीकृति के मानदण्ड :

निम्न में से किसी एक के होने पर लॉट को निम्न कोटि का जाना जायेगा :—

- (1) यदि माल की पैकिंग इन विनियमों के अनुसार नहीं होगी और विरजित यानों के संबंध में यदि माल उचित प्रकार से अनुमोदित नमूने के अनुरूप नहीं है, अथवा
- (2) यदि दोषयुक्त कोनों/चीज अथवा हैल्कों की संख्या पहले सैपल में अथवा पहले व दूसरे सैपल के एकत्रीकरण पर 4 से ज्यादा होती है। यद्यपि कि, यदि पहले नमूने में दोषयुक्त कोन/चीज/हैल्क की संख्या दो तक ही समिति हो तो उसे इस आधार पर स्वीकृति योग्य समझा जायेगा, अथवा
- (3) यदि रिवाइडिंग परीक्षण के दौरान प्रति 10,000 मीटर में टूटने की क्रिया दो बार से अधिक होती है,
- (4) यदि जांच से प्राप्त वास्तविक ओसत का ऊंट इन विनियमों में निर्दिष्ट स्वीकृत सीमाओं से अधिक है,
- (5) यदि विभिन्नता का गुणांक 5% से अधिक है अथवा करार में सवन मानकों का अनुबंध है,
(निम्न के अतिरिक्त)

यद्यपि कि हैल्क यानों के संबंध में, गृह उद्योगों में रंगाई, विरजीकरण जैसी प्रक्रियाओं के लिए हाथ संशोधित यानों यात्रि, विभिन्नता का गुणांक इस संबंध में करार में किन्ही युक्त अनुबंधों की अनुपस्थिति में 10% लागू होगा,

- (6) यदि काउंट-शक्ति उत्पाद तालिका में निर्दिष्ट सीमाओं से कम है अथवा विदेशी क्रेता द्वारा करार में स्पष्ट से अधिक है,
- (7) यदि जांच परीणाम करार में निर्धारित इकट्ठा सूत शक्ति/ग्राम के एम. के संबंध में आवश्यकताओं का पूरा न करने लगे,

- (8) यदि होजियरी यार्न के संबंध में ली शक्ति का विभिन्नता गुणांक 15% से अधिक हो तथा अन्यो के मामले में 10% तक हो अथवा कोई अन्य युक्त मानक का करार में स्पष्टीकरण हो,

(निम्न के अनिवार्य)

अद्यपि के हैन्क यार्न के संबंध में, यह उद्योग में रंगाई, विरंजकीकरण प्रक्रियाओं के लिए हाथ में संसाधित यार्न अदि, विभिन्नता का गुणांक इस संबंध में करार में निम्नी युक्त अनुबंधों की अनुपस्थिति में 15% लागू होगा।

नोट :—

यदि ली शक्ति के सभी मान आवश्यक न्यूनतम शक्ति से अधिक हैं, वही शक्ति का विभिन्नता गुणांक उच्चतम से अधिक है तो ऐसे मामलों में अपर्याप्त स्वीकृति नहीं लागू होगी।

9. इकहरा सूत शक्ति/आर के एम. के संबंध में इकहरा सूत शक्ति का विभिन्नता गुणांक यदि करार में विनिर्दिष्ट सीमाओं से परे है,

10. यदि होजियरी यार्न के संबंध में यार्न की प्रतीति (अपियरेंस) ए.एस.टी.एम. के अनुसार C+की तथा अन्यो के संबंध में C की नहीं है। अद्यपि कि, औद्योगिक उपयोग के लिए निमित्त यार्न के संबंध में, यार्न प्रतीति के मानदंड लागू नहीं होंगे बशर्ते क्रेता विशिष्ट रूप से निर्देश देता है कि यार्न औद्योगिक उपयोग के लिए है और प्रतीति मानक की स्वीकृति की आवश्यकता नहीं है। यार्न के रोटरी स्पिनिंग का है घोषित होने पर यार्न प्रतीति के D+— से कम या "U" %—के 14 से अधिक होने पर।

11. यदि ट्विस्ट की दिशा करार में विनिर्दिष्ट के अनुसार अथवा की अनुपस्थिति में निर्धारक द्वारा घोषित के अनुसार नहीं होने पर,

12. होजियरी यार्न के संबंध में ट्विस्ट मल्टीप्लायर के 4 से अधिक होने पर,

13. यदि ट्विस्ट करार के अनुबंधों के अनुरूप नहीं है,

14. मर्सरीकृत यार्न के संबंध में, यदि बैरियम एक्टीविटी के क्रमांक 150 से कम होने पर अथवा करार में विनिर्दिष्ट क्रमांक से कम होने पर,

15. यदि परीक्षित नमूना करार में अनुबंधित किसी अन्य पैरामेटर के समतुल्य न हो।

10. सह्य-सीमा :—

काउन्ट ट्विस्ट के संबंध में माल की संतुष्टि हेतु, निम्न सह्य-सीमाओं की अनुमति है तथा यदि करार में यार्न को शर्तों का ही अनुबंध हो, तो उन्हीं का अनुपालन किया जायेगा।

लक्षण	अनुमत्य होजियरी यार्न	विभिन्नता अन्य यार्न
काउन्ट + ट्विस्ट	$\pm 5\%$	$\pm 5\%$
इकहरा	$\pm 10\%$	$\pm 10\%$
दोहरा	$\pm 5\%$	$\pm 5\%$

सबु उद्योग में रंगाई, विरंजकीकरण आदि प्रक्रियाओं के लिए हाथ में संसाधित यार्न के संबंध में निम्न सह्य-सीमाओं उपरोक्त के स्थल पर लागू होगी, बशर्ते कि करार में युक्त अनुबंधों का निर्देश न हो।

I. विण्डित : विरंजित

काउन्ट $\pm 5\%$

विण्डित : रंगीन अथवा रंगीन

$\pm 10\%$

विरंजित यार्न की मिश्रित लॉटों में

काउन्ट $\pm 10\%$

II. पैकिंग तथा सीलिंग : निरीक्षित तथा पारित लॉटों का भौतिक परीक्षण किया गया कि स्टैम्प लगाये, निरीक्षक की उपस्थिति में प्रयोगशाला जांच रिपोर्ट के संबंधित रहने पर, इन विनियमों में विनिर्देशानुसार पैक कर मौल्य लगाए।

12 अपील की प्रक्रिया

1. मसला जांच के आधार पर जहां माल को अस्वीकृत किया गया है अथवा भौतिक परीक्षण हेतु प्रस्तावित माल को निराकरण द्वारा अस्वीकृत किये जाने पर तथा नियतिक के निर्णयों से सहमत न होने पर, वह वस्त्र उद्योग समिति के समस्त प्रभारी अधिकारी के पास अपील कर सकता है।
2. अपील की सुनवाई निर्णय एक अपील समिति द्वारा की जायेगी जिसमें उपरोक्त प्रभारी अधिकारी संवत्सरा द्वारा के अलावा इस कार्य हेतु समिति द्वारा नियुक्त अधिक से अधिक चार नियतिकों का समावेश होगा।
3. यदि अपील समिति उक्त निर्णय देती है कि माल को मसले से अस्वीकृत किया गया है तो, वह प्रभारी अधिकारी को आवश्यक निरीक्षण प्रमाणपत्र जारी करने के लिए प्राधिकृत कर देगी।
4. प्रभारी अधिकारी अथवा प्रभावित नियतिक अपील समिति के आदेशों के विरुद्ध केन्द्रीय अपील समिति के पास अपील कर सकता है।

केन्द्रीय अपील समिति में वस्त्र उद्योग समिति के मुख्य निरीक्षण अधिकारी, मुख्य मत्तकदाधिकारी तथा निदेशक (प्रमाणन) के अनिवार्य समिति द्वारा समय-समय पर सरकार अध्याय समिति के किसी अन्य नामित अधिकारी का समावेश होगा।

13. निरीक्षण प्रमाण-पत्र

1. प्रत्येक निरीक्षक स्वीकृत लाइट के लिए एक निरीक्षण प्रमाणपत्र समिति द्वारा इस कार्य के लिए प्राधिकृत अधिकारी के द्वारा जारी किया जाएगा।
2. जहां निरीक्षण समिति के अतिरिक्त विदेशी केता द्वारा नामित किसी अन्य एजेंसी द्वारा किया जाता है तो निरीक्षण परिणामों का उक्त एजेंसी द्वारा वस्त्र उद्योग समिति के समक्ष प्रस्तुत किये जाने पर तथा समिति के पूर्णतः आश्वस्त होने पर कि इन विनियमों में इस संबंध में निर्धारित स्थितियों का अनुपालन पूरा किया गया है।
3. विदेशी सरकारी एजेंसी द्वारा खरीदे जाने पर जहां निरीक्षण उनके निरीक्षक अथवा उनके प्रतिनिधि अथवा प्राधिकृत एजेंसी द्वारा किया गया है तथा इन विनियमों में इस संबंध में निदिष्ट स्थितियों का पूर्ण किया गया है, तो समिति द्वारा इस कार्य के लिए प्राधिकृत अधिकारी द्वारा, परेण आधार पर निरीक्षक अथवा एजेंसी द्वारा स्वीकृत किये जाने का प्रमाण-पत्र प्रशानित परेण के नियतिक द्वारा प्रस्तुत किये जाने पर, नियतिक प्राधिकारी द्वारा जारी किया जाएगा।
4. स्वप्रमाणन के अन्तर्गत आनेवाली लाइटों का निर्माण द्वारा प्रस्तुत किए गए स्वप्रमाणन को समर्थित कर नियतिक प्राधिकारी को दे दिया जायेगा।

तालिका

काउन्ट	न्यूनतम	काउन्ट-शक्ति उत्पाद
1	2	3
	रिंग स्पिन/रोटर स्पिन	

1. होजियरी के अतिरिक्त

(अ) काउंट :

8एस से 12एस	1350	6एस	1250
उपर 12एस से 16 एस	1450	10एस	1300
उपर 16एस से 24एस	1600	16एस	1400
उपर 24एस से 30एस	1750		
उपर 30एस	1800		

(ब) कम्ब्ड

28 एस से 30एस	1850
उपर 30एस से 34एस	1900
उपर 34एस से 42एस	2050
उपर 42एस	2100

1

2

3

2. होजियरी

(अ) काउंट:

8एम् से 10एम्	1000
उपर 10 एम् से 16एम्	1150
उपर 16एम् से 20एम्	1250
उपर 20एम् से 30एम्	1350
उपर 30एम् से 40एम्	1400
उपर 40एम् से 44एम्	1450
उपर 44एम् से 50एम्	1500

(ब) कॉम्बो:

उपर 24एम् से 30एम्	1350
उपर 30एम् से 36एम्	1400
उपर 36एम् से 44एम्	1450
उपर 44एम् से 50एम्	1500
उपर 50एम् से 60एम्	1600
उपर 60एम्	1800

नोट:—0 दोहरे मूल के संबंध में काउंट शक्ति उत्पाद का 1.18 से गुणा किया जाएगा।

7. यद्यपि कि अधिक दिवस्ट वाले दोहरे मूल के संबंध में जहां कि इकहरे वाले दोहरे मूल में दिवस्ट को दशा एक ही है तथा दिवस्ट मल्टीप्लायर (गुणांक) औसत काउंट के आधार पर आंकलन करने पर 6 से अधिक होता है तो काउंट-शक्ति उत्पाद (सी.ए.सी.) में 0.8 का गुणा किया जाये।

3. औद्योगिक उपयोग हेतु निर्मित यार्न के संबंध में काउंट-शक्ति उत्पाद (सी.ए.सी.) में 2000 से कम तक, 1.2 का गुणा किया जाए।

अनुबन्धक-1

मिल मेंड काउंट यार्न निरीक्षण विनियम, 1988 के अंतर्गत पारिभाषित माल की षार्टों का चयनित निरीक्षण हेतु (प्लान) योजना

1. चयनित निरीक्षण के मानदण्ड

सभी निर्यातक मिलों को मिलमेंड काउंट यार्न निरीक्षण विनियम, 1988 के अंतर्गत पारिभाषित एवं निर्यात निर्मित माल के लिए चयनित निरीक्षण की सुविधा प्राप्त करने का विकल्प उपलब्ध है। निर्यात हेतु लम्बे समय से उच्च कोटि का यार्न बनाने वाली मिलों को चयनित निरीक्षण सुविधा उपलब्ध करायी जायेगी/निर्यात के लिए उच्च कोटि की यार्न निर्मित करने की क्षमता का अंजाज करने के लिए, समिति द्वारा समय-समय पर निर्धारित अवधि के अंतर यार्न का न्यूनतम मात्रा का होना आवश्यक है। चयनित निरीक्षण की सुविधा केवल उन्हीं मिलों की ही जायेगी जिनके पास गुणवत्ता निष्पादन हेतु सुसज्जित प्रयोगशाला व प्रशिक्षित कार्मिक उपलब्ध होंगे। उपरोक्त के अतिरिक्त, प्रत्येक मिल द्वारा चयनित निरीक्षण सुविधा प्राप्त करने के लिए निम्न आधारभूत मानदण्डों को स्थापित किया गया है।

(क) निर्धारित अवधि दरम्यान मिल का अस्वीकृत प्रतिशत अधिक भारतीय अस्वीकृत प्रतिशत से ज्यादा नहीं होना चाहिए।

(ख) मिलें जिनकी यार्न प्रतीति माल के अधिक भारतीय प्रतिशत से अधिक नहीं है व ग्रेड "सी" से कम है।

(ग) इसके अतिरिक्त, गुणवत्ता मानकों (परामीटर्स) की सुसंगति का आंकलन निम्नानुसार किया जायगा,

(1) मिलों द्वारा प्रस्तुत किये गये माल के काउंट का विभिन्नता गुणांक अधिक भारतीय औसत से उत्कृष्ट होना चाहिए।

(2) मिल द्वारा प्रस्तुत किए गए माल की शक्ति का विभिन्नता गुणांक अधिक भारतीय औसत से उत्कृष्ट होना चाहिए।

(3) मिल द्वारा प्रस्तुत किए गए माल का काउंट अनुसार काउंट शक्ति उत्पाद अधिक भारतीय औसत से उत्कृष्ट होना चाहिए।

(4) ए.एस.टी.एम. के अनुसार यार्न का प्रतीति निष्पादन अधिक भारतीय औसत से उत्कृष्ट होना चाहिए।

नोट:—उपरोक्त मानकों में से, यदि मिल का निष्पादन उपर्युक्त चार में से दो में भी अच्छा पाया जाता है तो मिल को गुणवत्ता के संबंध में स्वप्रमाणन की सुविधा प्राप्त करने के लिए उत्कृष्ट समझा जाएगा।

(2) लॉटों की चयनित निरीक्षणों का प्रतिशत :

निर्धारित मानदंडों को पूरा कर सकने के आधार पर चयनित निरीक्षण का प्रतिशत 25% से 75% के मध्य होगा।

(3) अंतरिम सुरक्षा गार्ड :

योजना के प्रचालन में कुछ अंतरिम सुरक्षा गार्ड का होना आवश्यक है जिससे कि योजना का विश्वस्त व समुचित प्रचालन किया जा सके। ये निम्नानुसार हैं :

- (क) जब लॉट को वास्तविक निरीक्षण के दौरान अस्वीकृत किया जाता है तो वह चयनित निरीक्षण हेतु पात्र नहीं होगी।
- (ख) किसी भी मिल को चयनित निरीक्षण की उपलब्ध करायी गयी सुविधा को तुरंत बंद कर दिया जायेगा यदि निम्न में से किसी को भी घटित पाया गया :—
- (अ) सावधिक पुनरीक्ष पर, यदि पुनरीक्षण के दौरान निरीक्षित माल को स्वप्रमाणन को प्राप्त करने के लिए ऊपर प्रस्तर-1 में समिति द्वारा निर्धारित मानकों से निम्न कोटि का पाया जाता है तथा जब तककि पुनः निरीक्षण के दौरान गुणवत्ता निष्पादन समिति द्वारा निर्धारित स्तर तक नहीं आ जाता।
- (ब) मिल द्वारा निर्यात माल के संबंध में आयात करने वाले देश से गुणवत्ता संबंध शिकायत प्राप्त होती है, तथा समिति द्वारा उसे उचित पाया जाता है। ऐसी स्थितियों में चयनित निरीक्षण सुविधा को समय-समय पर निर्धारित अवधि हेतु बंद कर दिया जायेगा।
- (स) यदि पिछले निरीक्षित 10 लॉटों में से 1 से अधिक लॉट के अस्वीकृत पाये जाने पर, ऐसी स्थितियों में चयनित निरीक्षण योजना को अपने सात कार्य दिवसों के लिए बंद कर दिया जाएगा। चयनित निरीक्षण सुविधा के बंद किए जाने के बाद से यदि निरीक्षित 10 लॉटों में से 1 से अधिक लॉट के अस्वीकृत न पाए जाने पर ही चयनित निरीक्षण सुविधा को पुनः उपलब्ध कराया जा सकेगा।
- (द) चयनित निरीक्षण योजना के अंतर्गत वास्तविक निरीक्षण हेतु लॉटों का चयन रैंडम आधार पर मिल द्वारा निर्यात हेतु बनाए गए सभी प्रकार के काउंटों का प्रतिनिधित्व करते हुए संबंधित काउंट की उत्पादन अवधि को देखते हुए लिया जाएगा। समिति, यद्यपि कि, इस कार्य हेतु प्राधिकृत अधिकारी द्वारा अपने निर्णय के आधार पर किसी भी समय उपलब्ध करायी गयी चयनित निरीक्षण की सुविधा को समाप्त कर सकती है।

(4) प्रक्रियाएं :—

चयनित निरीक्षण की अवधि के दौरान, निम्न प्रक्रियाओं का अनुपालन किया जाय :—

- (क) चयनित निरीक्षण योजना के अंतर्गत आने वाली मिलें सामान्य रूप से लॉटों के अनुसार आवेदन प्रस्तुत करेंगी, चाहे लॉट का वास्तविक निरीक्षण किया जाता हो अथवा नहीं। करार में अनुबंध विभिन्न पराधीनताओं अथवा समिति द्वारा इस निर्धारित न्यूनतम मानकों के अनुरूप मिलों की प्रयोगशाला में की गयी जांच की रिपोर्ट की एक प्रति प्रायेक आवेदन के साथ संलग्न करनी होगी ऐसे सभी आवेदनों का इस कार्य के लिए निर्धारित रजिस्टर में पंजीयन किया जायेगा।
- (ख) अधिकारी रैंडम आधार पर वास्तविक निरीक्षण हेतु लॉट का चयन करेगा।
- (ग) अधिकारी मिल को यह भी सूचित करेगा कि निम्न लॉटों को वास्तविक निरीक्षण किये बिना ही स्वप्रमाणन आधार पर निर्यात हेतु प्राधिकृत किया जा रहा है, बशर्ते कि मिल द्वारा प्रस्तुत की गयी जांच रिपोर्ट करार के अनुबंधों अथवा विनियमों के अंतर्गत निर्धारित न्यूनतम मानकों जो भी उपयुक्त हों के संबंध में आवश्यक करती हों।
- (घ) स्वप्रमाणन द्वारा निर्यात हेतु प्राधिकृत की गयी लॉटों के संबंध में, एक अधिकारी को मिल में, सभी प्रशस्ति लॉटों के पैकेजों को सील करने के लिए भेजा जायेगा। सभी पैकेजों को सील करने के बाद, वह स्वप्रमाणन को परिशुद्धता संबंधी जांच करेगा तथा विश्वस्त होने पर ही साक्ष्यकित करेगा।
- (ङ) स्वप्रमाणन तथा साथ ही वास्तविक निरीक्षण के लिए प्रस्तुत की गयी लॉटों को दक्षिण हुए प्रत्येक मिल निर्धारित प्रोफार्मा में डुप्लिकेट में रजिस्टर रखेगी। अधिकारी, जो मिल में परिसर में स्वप्रमाणन वाली लॉटों को साक्ष्यकित करेगा वह यह भी आवश्यक करेगा कि रजिस्टर को सही रूप में अद्यतन बनाए रखा जा रहा है। निर्धारित अवधि पश्चात् समिति को रजिस्टर को एक प्रति भेजा जायेगी।

पाद टिप्पणी :

मुख्य विनियम/आदेश अधिमूचना सं.एस.ओ. दिनांक 30-9-1966 के अनुसार भारत के राजपत्र के भाग 3 खण्ड 4 पेज 833 पर दिनांक 15-10-1966 को प्रकाशित हुए। जिनको निम्नानुसार संशोधित किया गया :—

- (1) अधिसूचना सं. एस.ओ. जनवरी 1971
- (2) अधिसूचना सं. 25011/19/71-टेक्स-ए दिनांक 19-3-72
- (3) अधिसूचना सं. नहीं दिनांक 20-3-1975
- (4) अधिसूचना सं. एस. ओ. 4771 दिनांक 12-10-1985

[सं. 80/(18)/85-प्रशासन]

आर. के. कपूर, सचिव

MINISTRY OF TEXTILES

TEXTILES COMMITTEE

Bombay, the 19th October, 1988

S.O. 3394.—In exercise of the powers conferred by section 23, read with clauses (c) and (d) of sub-section (2) of section 4 of the Textiles Committee Act, 1963 (41 of 1963), and in supersession of the mill made Cotton yarn Inspection Regulations, 1966, except as respect things done or omitted to be done before supersession, the Textiles Committee, with the previous sanction of the Central Government, makes the following regulations establishing inspection standards for textiles means for export and specifying the type of inspection to be applied, namely :—

1. Short title and commencement.—(1) These regulations may be called the Millmade Cotton Yarn Inspection Regulations, 1988

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these regulations, unless the context otherwise requires,

- (i) "Committee" means the Textiles Committee established under section 3 of the Textiles Committee Act, 1963 (41 of 1963);
- (ii) "Defective Cheese" means a cheese containing one or more of the following defects :—
 - (a) soft Cheese;
 - (b) excessive stitches on any side;
 - (c) prominent stain
 - (d) collapsed cheese;
 - (e) cut threads;
- (iii) "Defective Cone" means a cone containing one or more of the following defects :—
 - (a) stitch of more than 2.5 centimeters in length at the base,
 - (b) excessive stitches at the nose,
 - (c) soft cone in the case of yarn other than hosiery yarn,
 - (d) Badly collapsed cone,
 - (e) prominent stain,
 - (f) cut threads,
 - (g) absence of tail end where it is specified the length of the tail and should not be less than 30 centimetres),
- (iv) "Defective Hank" means a hank containing one or more of the following defects :—
 - (a) improper leasing,
 - (b) nose and tail end not tied with the tie yard,
 - (c) entanglement,
 - (d) presence of many knots with long tail ends,
 - (e) presence of hard waste,
 - (f) excessive presence of twistlessness, irregular twist or cork screw effects in case of piled yarn,

- (g) plying of wrong count,
- (h) prominent stain,
- (v) "Inspector" means the person deputed to inspect the material,
- (vi) "Lot" means the quantity of material purported to be of one definite count and quality,
- (vii) "Material" means mill spun yarn wholly of cotton and excludes the following :
 - (a) Yarn made out of waste cotton,
 - (b) Yarn of three ply and above,
 - (c) sewing thread,
 - (d) samples, provided they are marked clearly as samples on each sub-package and the consignment not exceeding 500 Kilograms,
- (viii) "Make up" means :—
 - (a) for bundles :
 - (i) nominal weight of bundle,
 - (ii) Whether single or multiple bank, straight reeled or cross reeled,
 - (iii) number of knots per bundle,
 - (iv) number of bundles per finished package,
 - (b) for cheese yarn :
 - (i) nominal weight of cheese,
 - (ii) nature of empty cheese,
 - (iii) number of cheeses per finished package,
 - (c) for cone yarn :
 - (i) nominal weight of cone,
 - (i) nature of empty cone,
 - (iii) angle of cone,
 - (iv) number of cones per finished package,
 - (v) "Table" means a table annexed to these regulations.

3. Offering of material.—(1) The material shall be offered for inspection only in packed condition in the form of bales, cases, bags, cartons or in such other form as may be prescribed by the Committee from time to time and as required by the foreign buyer.

(ii) The material can be offered in lots of size upto 20 tonnes and not exceeding 400 finished packages.

(iii) The material shall be offered for inspection only in a place where facilities are available for, (a) Opening and repacking (b) carrying out rewinding tests and (c) proper and well lighted arrangements for examination.

(iv) The entire material under application must be kept ready at the appointed date and time in the place of offer, with all the package duly numbered and affixed with the wire and seal in the manner prescribed.

4. Physical inspection criteria :—Inspection shall be carried out for the following on the basis of the sampling plan provided in regulations :—

- (i) Packing :
 - (a) Manner of packing and the quality of packing material as prescribed by the Bureau of Indian Standards Committee or
 - (b) as per specifications of the foreign buyer.
- (ii) Defects in the packages :—For defective cones/cheeses/banks as per sampling plan.
- (iii) Colour matching :—In case of bleached/coloured yarn comparison of colour/shade/whiteness of the bulk with that of the approved sample by the foreign buyer and in its absence as furnished by the Exporter.
- (iv) Rewinding Test :

At a speed followed by the Mills and not less than 550 M/Metre per minute with a slub catcher setting of 24 times the diameter of the yarn and tension arrived at on the basis of the following formulae :

$$\text{Diameter of yarn} = \frac{1}{28} \times \frac{1}{\sqrt{\text{English Count}}}$$

Tension in grains = (4 xlea strength required for the count)+28.

Note :—1. However, in the case of mill having other type of slub catcher, the criterion for rewinding test shall be as determined by the Committee from time to time.

2. In case of processed yarn rewinding test shall not apply.

5. Sample drawing and testing criteria :

If a material is found acceptable on the basis of inspection carried out, samples shall be drawn for testing as prescribed under the sampling plan for the specificational aspects mentioned in the contract or minimum standards prescribed in these regulations governing the following parameters :

(i) Counts—As specified in the contract.

Note : In case of hard twisted double yarn, as specified in the Table counts shall be determined on the basis of testing of single component.

(ii) Co-efficient of Variation for count—as per standards prescribed in these regulations or according to contractual stipulations whichever is stringent.

(iii) Strength/Count-Strength Product—As prescribed in the Contract and the minimum standards prescribed in these regulations for Count-Strength Product. However, if the Contract stipulates single thread strength or R. Km. lea strength and CSP will not be applied, if the CSP arrived at on the basis of contractual stipulation and the following formulae is not less than the minimum stds. for CSP provided further the contract stipulates CV for single thread strength.

$$\text{C.S.P.} = 147 \times \text{R. Km.}$$

(iv) Co-efficient of Variation for strength—Based on lea strength or Co-efficient of Variation for single thread strength if the contract stipulates.

(v) Yarn appearance as per American Society for Testing and materials and in case of yarn declared to be of Rotor Spinning; for yarn appearance as per American Society for Testing and materials or Unevenness per cent.

(vi) Direction of twist as in the contract or in its absence as declared by the exporter. This does not apply in case of yarn declared to be of Rotor Spinning.

(vii) Twist (TPI/TPM/TM etc.) as prescribed in the contract and in case of hosiery as prescribed in these regulations. This does not apply in case of yarn declared to be of Rotor Spinning.

(viii) Mercerisation as prescribed in the contract and in its absence as provided in these regulations.

(ix) Any other parameter clearly prescribed in the contract with the method of testing and standards for acceptance.

Note.—Testing for count, strength and TPI shall be carried out as per IS : 1315-1977 (first revision) IS : 1671-1977 (first revision) and IS : 832-1985 (first revision) respectively.

6. Sampling Plan :

(i) for Finished Packages :—

10% of the finished packages, subject to minimum of 2 and a maximum of 10 shall be selected on a random sampling basis by the use of table of random numbers and in case of mixed coloured yarn, packages shall be selected at random in such a manner

to cover as many colours as possible in a representative manner for opening and selection of sub-packages like bundles/cones/cheeses etc.

(ii) For Sub-Packages :—

From out of the finished packages opened fifteen bundles in case of hank yarn and 30 sub-packages in case of other type of sub-packages shall be selected in a representative manner.

(iii) For Defectives :—

First Sample.—40 cones/cheeses/hanks shall be drawn in a representative manner from all the finished packages opened.

Second Sample.—Same as that of the first sample to be drawn from out of the finished packages opened, if the acceptability cannot be decided on the first sample.

(iv) Rewinding Test.—20 cones but not defective once from out of the 49 selected for defectives.

(v) For drawal of samples for testing.—

(a) In case of hank yarn 15 samples and in case of others 30 samples shall be drawn in a representative manner from the sub-packages selected.

(b) In case of hank yarn the size of each sample shall be one hank or one multiple hank, as the case may be, and in case of other types like cones/cheeses etc., one sample of mini cone/cheese etc., of half to one hank, shall be drawn from each sub-packages selected.

(c) Where test for moisture regain/content is required to be carried out 5 samples of about 20 grams each shall be drawn from 5 different sub-packages selected at random from out of the sub-packages selected for sampling.

(d) Additional samples for further laboratory tests shall be drawn depending upon the requirement of further tests to be carried out.

7. Inspection by an agency other than the committee :

(i) In the case of foreign buyers nominating other agencies to inspect material before shipment the material will not be inspected by the Committee provided :

(a) the specification of the foreign buyer are more stringent than the minimum quality standards laid down in these regulations ; and

(b) if the standards and methods of inspection employed by the private agency are acceptable to the Textiles Committee.

(ii) In the case of purchase by foreign Government agency if its inspector or its representative or authorised agency inspects the material before shipment, the material may not be inspected by the Committee provided the following conditions are satisfied that—

(a) a request is received from the foreign Government or its authorised agency that it wishes to carry out its own inspection in lieu of the inspection by the Textiles Committee according to these regulations.

(b) the Foreign Government buying agency also promises that it will not raise objection regarding quality once the goods have been accepted and cleared by its own agency.

(c) The minimum standards of inspection of the said Inspector/Agency and the methods and procedures adopted for inspection by such Inspector or Agency are adequate and acceptable to the Textiles Committee, for which purpose the Textiles Committee may grant recognition for one year at a time.

Note :—During the period of recognition, the Textiles Committee shall have the right to conduct any surprise inspection if it is felt necessary to do so for reasons to be recorded in writing.

8. Self Certification :—

In case of mills having a consistent record of export of quality yarn, the material offered by them for inspection can be inspected on the basis of a plan appended to these regulations, as Appendix-1 for selective inspection of lots as may be decided by the Committee from time to time in this respect. The Committee shall also be competent to allow any of the Mills the facility of self certification subject to the safeguards and procedures specified in Appendix-1.

9. Criteria for Rejection :—

A lot shall be considered as sub-standard in any of the following events namely :—

- (i) if the packing is not in accordance with these regulations and in addition if the bulk does not compare favourably with the approved sample in case of bleached/coloured yarn; or
- (ii) if the number of defective cones or cheeses or hanks exceeds 4 in the first sample or first and second samples pooled together. However, if the first sample contains upto and inclusive of 2 defective cones/cheese/hanks, it is considered acceptable in this respect; or
- (iii) if the number of breaks per 10,000 metres exceeds 2 on rewinding test;
- (iv) if the actual average counts on testing is found to be beyond the tolerance limits prescribed in these regulations ;
- (v) if the C for count exceeds 5 per cent or any stringent standard stipulated in the contract : (except for the following) :

Provided that in case of hank yarn, processed by hand in the cottage industry for processes like dyeing bleaching etc., C.V. of 10 per cent shall apply in the absence of any stringent standard in the contract in this respect ;

- (vi) if the CSP is lower than the prescribed as in the Table or any higher one prescribed in the foreign buyers contract ;
- (vii) if the test results do not conform to the requirements of the contract in case of single thread strength/R. Km ;
- (viii) if the CV % for lea strength exceeds 15 percent in case of hosiery yarn and 10 per cent in case of others or any stringent standard prescribed in the contract : (except for the following) :

Provided that in case of hank yarn processed by hand in the cottage industry for process like dyeing, bleaching etc. CV of 15 per cent shall apply in the absence of stringent standards in the contract in this respect.

Note.—If all the values of lea strength are higher than the minimum strength required then the higher CV % for lea strength than the above shall not attract rejection in this regard.

- (ix) in case of single thread strength/R. Km. if the CV % for single thread strength exceeds the limit prescribed in the contract;
- (x) if the yarn appearance does not conform to C+ in case of hosiery yarn and 'C' in case of other yarns, as per ASTM. However, in case of yarn meant for industrial use, the criteria for yarn appearance shall not apply provided further the buyer specifically indicates that the yarn is meant for industrial use and hence criteria for acceptance for appearance standard is not required. In case of yarn declared to be of Rotor Spinning if the yarn appearance is lower than D+ or 'U' per cent exceeds 13 ;
- (xi) if the direction of twist is not as specified in the contract or in its absence as declared by the exporter ;
- (xii) in case of hosiery yarn if the twist multiplier exceeds 4 ;

(xiii) if the twist is not conforming to the contractual stipulations ;

(xiv) in case of mercerised yarn, if the barium activity number is lower than 150 or lower than the number specified in the contract, and

(xv) if the sample tested is not conforming to any other parameter as stipulated in the contract.

10. Tolerances :—

When determining whether the material conforms to counts and twist, the following tolerances shall be allowed and in case the contract stipulates stringent tolerances, the same shall be adhered to :

Characteristics	Variation allowed	
	Hosiery yarn	Other yarn
Count	+ 5 %	+ 5 %
Twist		
Single	+ 10 %	+ 10 %
Double	+ 5 %	+ 5 %

In case of hank yarn processed by hand in the cottage industry for processes like dyeing, bleaching etc., the following tolerances shall apply instead of above, provided stringent tolerance are not prescribed in the contract.

(i) Purely bleached	Count	-5 %
		-10 %
(ii) Purely dyed or mixed		
including dyed and bleached yarn	Count	+ 5 %
		-

11. Packing and Sealing.—The lot inspected and passed physical inspection shall be stamped, packed and sealed in the manner provided in these regulations, in the presence of the inspector, pending receipt of laboratory test report.

12. Procedure for Appeal :—

- (i) Where the material has been rejected on the basis of sample testing or the inspection has rejected the material offered for physical inspection and the exporter is not satisfied with the decision, he may make an appeal to the Officer-in-charge of the local office of the Textiles Committee.
- (ii) The appeal shall be heard and decided by an Appeal Committee consisting of the said Officer-in-charge as the convenor and not more than four exporters nominated for the purpose by the Committee.
- (iii) If the appeal Committee decided that the material has been wrongly rejected, it shall authorise the Officer-in-charge to issue necessary Inspection Certificate.
- (iv) The Officer-in-charge or the affected exporter may appeal against the order of the Appeal Committee to the Central Appeal Committee for decision.

The Central Appeal Committee shall consist of the Chief Inspecting Officer, the Chief Vigilance Officer and the Director (Laboratory) of the Committee and such other Officers of the Government or the Committee as may be nominated by the Committee from time to time.

13. Inspection Certificate :

- (i) In respect of each lot inspected and not rejected, a certificate of inspection shall be issued by an Officer of the Committee authorised by the Committee in this behalf.
- (ii) Where inspection is done by an agency other than the Committee nominated by the Foreign buyer after the inspection findings are submitted to the Committee by the said agency and the Committee

is satisfied that the conditions prescribed in these regulations in this behalf are fulfilled.

(iii) In case of purchase by a foreign Government Agency where inspection has been carried out by its Inspector or its representative or authorised agency and the conditions laid down in these regulations in this behalf are satisfied, an authorisation for export shall be issued by an Officer of the Committee authorised for the purpose consignment wise on production of a certificate of acceptance from the said Inspector or agency by the exporter governing the consignment in question.

(iv) The lots covered under self certificate shall be authorised for export after due endorsement on self-certification furnished by the manufacturer.

TABLE

COUNTS	Minimum C.S.P.		
1. OTHER THAN HOSIERY	RING SPUN/ ROTOR SPUN		
(a) Carded :			
8s to 12s	1350	6s	1250
above 12s upto 16s	1450	10s	1300
above 16s upto 24s	1670	16s	140
above 24s upto 30s	1750		
above 30s	1800		
(b) Combed :			
28s to 30s	1850		
above 30s upto 34s	1900		
above 34s upto 42s	2050		
above 42s	2100		
2. HOSIERY			
(a) Carded :			
8s to 10s	1000		
above 10s upto 16s	1150		
above 16s upto 24s	1250		
above 24s upto 30s	1350		
above 30s upto 40s	1400		
above 40s upto 44s	1450		
above 44s upto 50s	1500		
(b) Combed :			
above 24s upto 30s	1350		
above 30s upto 40s	1400		
above 40s upto 44s	1450		
above 44s upto 50s	1500		
above 50s upto 60s	1600		
above 60s	1800		

Note :

1. In the case of two fold yarn the CSP shall be multiplied by 1.18.
2. However, in case of hard twisted double yarn, where the direction of twist in both single and double is the same and the twist multiplier of double yarn exceeds 6 computed on the basis of the nominal resultant count, the CSP shall be multiplied by 0.8.
3. In the case of yarn to be considered as meant for industrial use the CSP shall be multiplied by 1.2 subject to a minimum of 2000.

APPENDIX I

THE PLAN FOR SELECTIVE INSPECTION OF LOTS CONTAINING MATERIAL DEFINED UNDER MILL-MADE COTTON YARN INSPECTION REGULATIONS 1988

1. Criteria for Selective Inspection :

All the exporting mills have the option for availing of the facility of selective inspection of lots containing material

defined under the Mill made Cotton Yarn Inspection Regulation, 1988 and meant for export. The facility of selective inspection shall be granted to the mills producing consistently high quality of yarn for export. In order to assess the consistency of manufacturing high quality of yarn for export a minimum quantity of yarn should have been exported by the mills for the prescribed period as may be decided by the Committee from time to time. The facility of selective inspection shall be granted to those mills having a well equipped laboratory and the required personnel to monitor the quality performance continuously. In addition to the above, the following objective criteria is laid down to enable the individual mills to avail of the facility of selective inspection.

- (a) The Mill's rejection percentage for a prescribed period should not exceed the All India rejection percentage.
- (b) Mills whose yarn appearance is found to be not more than the All India Percentage of material falling below 'C' grade.
- (c) In addition, the criteria for assessing the consistency of the quality parameters will be as under :
 - (1) The CV % of count of the material offered by the mills should be better than the All India Average.
 - (2) The CV % of strength of the material offered by the mills should be better than the All India Average.
 - (3) The CSP for count wise offered for inspection by the mills should be better than the All India Average.
 - (4) The performance with regard to yarn appearance as per ASTM should be better than the All India Average.

Note :—Out of the above parameters, if the mills performance is found to be satisfactory at least on any two of the above four parameters such mills shall deemed to have better performance on quality to avail the facility of self-certification.

II. Percentage of Selective Inspection of Lots :

The percentage of selective inspection shall stand at a level ranging between 25% and 75% in respect of mills satisfying the prescribed criteria.

III. Built in Safe Guards :

Certain built-in safe-guards are essential in the operation of the scheme to ensure the reliability and smooth operation. They are as follows :

- (a) When a lot is rejected on the basis of actual inspection the same is not eligible under the selective inspection.
- (b) The facility of selective inspection of lots granted to any mill shall be withdrawn immediately on the occurrence of any of the following :—
 - (i) On a periodic review, if the material inspected during the review is found to be inferior than the criteria prescribed by the Committee for grant of self-certification as mentioned at para-1 above and until a further review for the quality performance comes within the said prescribed level.
 - (ii) If any complaint is received from the importing country regarding the quality of the material exported by the mills, and the same is established as genuine, as per the findings of the Committee. In such cases the withdrawal of the facility of selective inspection shall be for a period as may be prescribed by the Committee from time to time.
 - (iii) If more than one lot is found to have been rejected at any time out of the previous 10 lots inspected, in such cases the selective inspection plan shall be withdrawn for the next 7 working days. The facility of selective inspection shall be restored provided not more than one lot is found to have been rejected out of the 10 lots inspected since the withdrawal of the facility of selective inspection.

- (iv) The lots to be covered under the selective inspection plan for actual inspection shall be selected on a random basis to cover all the counts produced by the mills for export and the entire period of production of such counts. The Committee, may, however at its discretion withdraw the facility of selective inspection at any moment by an officer/authorised for this purpose.

IV. Procedure :

During the period of selective inspection, following procedure shall be followed.

(a) The mills coming under the selective inspection plan should be as usual submit application lotwise irrespective of the fact whether any lot is to be actually inspected or not. All such applications should be accompanied by a copy of the test report by the Mills laboratory for the lot under All such applications should be accompanied by a copy question covering various parameters as laid down in the contract or as per the minimum standards of the Textiles Committee. All such applications should be entered in the register as per the proforma prescribed.

(b) The officer shall select at random the lots that are to be actually inspected.

(c) The officer also intimate the mills the lots that are being authorised for export without actual inspection on the self-certification, provided the test report furnished by the mills satisfy the contractual stipulations or the minimum standards laid down under the regulations whichever is stringent.

(d) In respect of the lots authorised for export under self-certification, an officer shall be deputed to the mills for sealing all the packages of the lots under question. After completion of sealing of all the packages, he will scrutinize of self certification for its correctness and endorse the same if found satisfactory...

(e) The mills shall maintain register in the prescribed proforma in duplicate in respect of lots offered for inspection indicating the lots covered under self-certification as well as actual inspection. The officer, who endorse themselves certification at the mills premises should ensure the correctness and upto-date maintenance of the register. One copy of the register is to be forwarded to the committee periodically.

Foot Note.—Principal Rules/Order published vide Notification No. S.O. dated 30-3-1966.

Gazette of India dated 15-10-1966 Part III Section page 833.

Subsequently amended by :

- (i) Notification No. S.O. January 1971.
- (ii) Notification No. 25011/19/71-Text-A dated 18-3-72.
- (iii) Notification No. Nil dated 20-3-1975.
- (iv) Notification No. S.O. 4771 dated 12-10-1983.

[No. 8(18)/85-Admn.]
R. K. KAPOOR, Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 27 अक्टूबर, 1988

का. आ. 3395.—केन्द्रीय सरकार, भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उपधारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की पहली अनुसूची का निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची में गुजरात विश्वविद्यालय से संबंधित प्रविष्टियों के पश्चात् निम्नलिखित प्रविष्टियाँ अन्तःस्थापित की जाएंगी अर्थात् :—

“ग्रह्य चिकित्स का मास्टर (शरीर रचना) एम. एस. (शरीर रचना)

टिप्पण :—उपरोक्त ग्रह्यता गुजरात विश्वविद्यालय द्वारा बी. जे. चिकित्सा महाविद्यालय, अहमदाबाद में प्रशिक्षित छात्रों की बाबत प्रदान की जाने पर मात्स्यताप्राप्त चिकित्सा ग्रह्यता होगी।

[सं. बी.-11015/42/88-एम ई (पी)]

MINISTRY OF HEALTH AND FAMILY WELFARE

New Delhi, the 27th October, 1988

S.O. 3395.—In exercise of the powers conferred by sub-section (2) of Section 11 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :—

In the said Schedule, after the entries relating to the University of Gujarat, the following entries shall be inserted namely :—

“Master of Surgery (Anatomy M.S. (Ana).

Note :—The above qualification shall be recognised medical qualification when granted by Gujarat University in respect of the students trained at B. J. Medical College, Ahmedabad.

[No. V-11015/42/88-ME(P)]

का. आ. 3396.र-डा. राधाकृष्णन पिल्ले को भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खंड (ग) के उपबंध के अनुसरण में केरल राज्य से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया गया है।

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 3 की उपधारा (1) के अनुसरण में भूतपूर्व स्वास्थ्य मंत्रालय की अधिसूचना सं. का. आ. 138 (सं. 5-13/59-एम.आई.), तारीख 9 जनवरी, 1960 का निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, “धारा 3 की उपधारा (1) के खंड (ग) के अधीन निर्वाचित “शीर्षक के अधीन, क्रम संख्याक 2 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्याक और प्रविष्टियाँ रखी जाएंगी, अर्थात् :—

“2 डा. राधाकृष्णन पिल्ले पी. के.

सिविल सर्जन, स्वास्थ्य सेवा रोहणी

फारेस्ट आफिस लेन,

बुधतकाड, त्रिवेन्द्रम।

[सं. बी. 11013/61/87-एम ई (पी)]

आर. श्रीनिवासन, अवर सचिव

S.O. 3396.—Whereas in pursuance of the provisions of clause (c) of sub-section (1) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. Radhakrishna Pillai has been elected from the Kerala State to be a member of the Medical Council of India;

Now, therefore, in pursuance of sub-section (1) of Section 3 of the said Act, the Central Government hereby makes the following amendment on the notification of the late Ministry of Health S.O. No. 138 (No. 5-13/59/MI), dated the 9th January, 1960, namely :—

In the said notification under the heading "Elected under clause (c) of sub-section (1) of Section 3", of serial number 2 and its entries relating thereto the following serial number and entries shall be substituted, namely :—

"2. Dr. Rrdhakrishna Pillai (P.K. Civil Surgeon, Health Services, Rohini, Forest Office Lane, Vazhuthacaud, Trivendrum."

[No. V-11013/61/87/ME(P)]

कृषि मंत्रालय

(उर्वरक विभाग)

नई दिल्ली, 17 अक्टूबर, 1988

का. आ. 3397.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उप-नियम (4) के अनुसरण में एतद्वारा कृषि मंत्रालय, उर्वरक विभाग के प्रशासनिक नियंत्रण में आने वाले निम्नलिखित कार्यालयों को, जिनके कर्मचारी बृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. नेशनल फर्टिलाइजर्स लिमिटेड, विजयपुर एकक, विजयपुर गुना, मध्य प्रदेश ।

2. नेशनल फर्टिलाइजर्स लिमिटेड विपणन कार्यालय चण्डीगढ़ चण्डीगढ़ ।

3. नेशनल फर्टिलाइजर्स लिमिटेड, नंगल एकक, नंगल पंजाब ।

4. हिन्दुस्तान फर्टिलाइजर कार्पोरेशन लिमिटेड, बरोमी एकक, बरोनी, धनबाद, बिहार ।

5. राष्ट्रीय कैमिकल्स एण्ड फर्टिलाइजर्स लिमिटेड, बरेली प्रादेशिक कार्यालय बरेली, उत्तर प्रदेश ।

[सं. ई-11011/1/87-हिन्दी]

गु. र. खत्री, अवर सचिव

MINISTRY OF AGRICULTURE

(Department of Fertilizer)

New Delhi, the 17th October, 1988

S.O. 3397.—In pursuance of Sub-rule (4) of Rules 10 of the Official Language (use for official purposes of the Union) Rule, 1976, the Central Government hereby notifies the following offices, under the Administrative control of Ministry of Agriculture, Department of Fertilizer, the staff whereof have acquired the working knowledge of Hindi :—

1. National Fertilizers Limited, Vijay Pur Unit, Vijay Pur, Guna, M.P.
2. National Fertilizers Limited, Marketing Office Chandigarh, Chandigarh.
3. National Fertilizers Limited, Nangal Unit, Nangal, Punjab.
4. Hindustan Fertilizers Corporation Ltd., Barauni Unit, Barauni, Dhanbad, Bihar.
5. Rashtriya Chemicals and Fertilizers Limited, Regional Office Bareilly, U.P.

[No. E-11011/1/87-Hindi]
G. R. KHATRI, Under Secy.

परमाणु ऊर्जा विभाग

बम्बई, 12 अक्टूबर, 1988

का.आ. 3398:—केन्द्रीय सरकार सार्वजनिक परिसर (अप्राधिकृत अधिभोगी की बेदखली) अधिनियम, 1971 का 40 वां) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के परमाणु ऊर्जा विभाग, बम्बई के अवर सचिव को, जोकि सरकार का राजपत्रित अधिकारी है, उपर्युक्त अधिनियम के प्रयोजन के लिए सम्पदा अधिकारी नियुक्त करती है। यह अधिकारी उपर्युक्त अधिनियम के अनुसार अथवा उसके अन्तर्गत सम्पदा अधिकारी को प्रदत्त शक्तियों का प्रयोग करेंगे तथा उनको सौंपी गई ड्यूटियों को नीचे दी गई अनुसूची में विनिर्दिष्ट सार्वजनिक परिसरों के बारे में अपनी अधिकारिता की स्थानीय सीमाओं के भीतर रहते हुए पूरा करेंगे। इस नियुक्ति से निदेशक, सम्पदा प्रबन्ध निदेशालय, परमाणु ऊर्जा विभाग, जो ग्रेटर बम्बई में परमाणु ऊर्जा विभाग के अथवा उसके प्रशासनिक नियंत्रण के अन्तर्गत परिसरों (कार्यालय तथा आवास) जिनमें नीचे अनुसूची में दिए गए परिसर भी शामिल हैं, के संबंध में सामान्यतः सम्पदा अधिकारी हैं, की नियुक्ति पर कोई प्रतिकूल प्रभाव नहीं पड़ेगा।

अनुसूची

गांव गुंडावली, तालुका अंधेरी जिला बम्बई उपनगर जिले की एन.ए. संख्या 10-डी, सी टी एस संख्या 216 (अब सी टी एस संख्या 216 ए और 216 (बी) वाली भूमि का भाग (निर्मित भवन तथा खुला स्थान) जिसका माप 4726.9 वर्ग मीटर है।

[सं. 5/7(31)/72-एच/एस एस एस खण्ड-5]

सी. जी. सुकुमारन, अवर सचिव,

भारत के राष्ट्रपति के लिए और उनकी ओर से

DEPARTMENT OF ATOMIC ENERGY

Bombay, the 12th October, 1988

S.O. 3398.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints Under Secretary to Government of India in the Department of Atomic Energy, Bombay being a Gazetted Officer of Government, to be the Estate Officer for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on an Estate Officer by/or under the said Act within the local limits of his jurisdiction in respect of Public Premises specified in the schedule hereunder. This appointment is without prejudice to the appointment of the Director, Directorate of Estate Management, Department of Atomic Energy, who is generally the Estate Officer in respect of premises (office and residential) belonging to or under the administrative and residential) belonging to or under the administrative control of the Department of Atomic Energy in Greater Bombay which includes the premises described in the Schedule hereunder.

SCHEDULE

Portion of the land (structures and open space) bearing N.A. No. 10-D, CTS No. 216 (now CTS No. 216A and 216B) of Village Gundavali, Taluka Andheri Dist. Bombay Suburban District Admeasuring 47269 sq. mtrs.

[No. 5/7(31)/73-H/SSS Vol. V]

C. G. SUKUMARAN, Under Secy.
For & on behalf of the President of India

नई दिल्ली, 14 अक्टूबर, 1988

श्रम मंत्रालय

का.आ. 3399—केन्द्रीय सरकार परमाणु ऊर्जा विभाग के परमाणु खनिज प्रभाग के एक यूनिट क्षेत्रीय अन्वेषण तथा अनुसंधान केन्द्र, शिलांग को, जिसके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसौधक ज्ञान प्राप्त कर लिया है, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में अधिसूचित करती है।

[संख्या 6/5/82-हिन्दी/1308]

शैलेन्द्र पाण्डेय, निदेशक

New Delhi, the 14th October, 1988

S.O. 3399.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (Use for official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the Regional Centre for Exploration & Research, Shillong, which is a Unit of the Atomic Minerals Division of the Department of Atomic Energy, more than 80 per cent staff whereof has acquired a working knowledge of Hindi.

[No. 6/5/82-Hindi/1308]

SHAILENDRA PANDEY, Director

संचार मंत्रालय

(दूरसंचार विभाग)

नई दिल्ली, 7 नवम्बर, 1988

का. भा. 3400:—स्थायी आदेश संख्या 627, दिनांक मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 खंड 3 के पैरा (क) के अनुसार, महानिदेशक, दूर-संचार विभाग ने महापट्ट दूरसंचार सचिव के देवोली, सिंदी, करंजा, समुद्रपूर, आष्टी, गोंडपिपरी, सिदेवाही, भद्रावती, मजरी-खवान और नाग-मीर टेलीफोन केन्द्रों, तमिलनाडु दूरसंचार सचिव के लालगुडि और नेय्यूर टेलीफोन केन्द्रों; तथा बांगलूर दूरसंचार जिला कुम्बलगोडु टेलीफोन केन्द्र में दिनांक 16-11-1988 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[सं० 5—1/88-पी एच बी]

पी.आर. कार्रा, महायक महानिदेशक, (पी.ए.बी.)

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 7th November, 1988

S.O. 3400.—In pursuance of para 1(a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S. O. No. 637, dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 16th November, 1988 as the date on which the Measured Rate System will be introduced in Deoli, Sindi, Karanja, Samudrapur, Ashti, Gondpipri, Sindhewahi, Badravati, Majri-Khadan and Nagbhir Telephone Exchanges under Maharashtra Telecom. Circle; Lalgudi and Neyyoor Telephone Exchanges under Tamil Nadu Telecom. Circle and Kumbalagodu Telephone Exchange under Bangalore Telecom. District.

[No. 5—1/88-PHB]

P. R. KARRA, Joint Director General (PHB)

नई दिल्ली, 25 अक्टूबर, 1988

का. आ. 3401 :—केन्द्रीय सरकार कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 5 के साथ पठित पैराग्राफ के उपपैराग्राफ (1) के अनुसरण में श्री राजनिकांत आर. नागरी के स्थान पर श्री राजेश जयकृष्ण को गुजरात राज्य के लिए क्षेत्रीय समिति का सदस्य नियुक्त करती है और भारत के राजपत्र भाग 2 खण्ड 3 उा खण्ड (ii) दिनांक 24 फरवरी, 1987, में प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 403 दिनांक 27 जनवरी, 1987 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में क्रम संख्या 4 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी अर्थात् :—

“श्री राजेश जयकृष्ण,
“संकल्प” अम्बाली रोड,
अहमदाबाद-380015”

[सं० बी-20012(5)/84 म.नि. 2(स.सु.-2)]

ए.के. भट्ट राई, अवर सचिव

MINISTRY OF LABOUR

New Delhi, the 25th October, 1988

S.O. 3401.—In pursuance of sub-paragraph (1) of paragraph 4 read with paragraph 5 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri Rajesh Jaykrishna as a Member of the Regional Committee for the State of Gujarat in place of Shri Rajnikant R. Nagri and make the following amendment in the notification of the Government of India, Ministry of Labour No. S.O. 403 dated the 27th January, 1987 published in Part-II, Section 3, Sub-Section (ii), of the Gazette of India, dated the 24th February, 1987, namely:—

In the said notification against Serial No. 4 for the existing entry, the following entry shall be substituted, namely:—

“Shri Rajesh Jaykrishna, ‘Sankalp’ Ambli Road, Ahmedabad, 380015.”

[No. V-20012(5)/84-PF-II(SS-ID)]

A. K. BHATTARAI, Under Secy

नई दिल्ली, 25 अक्टूबर, 1988

का. आ. 3402 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन आयल कारपोरेशन के प्रबंध तंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार की 17 अक्टूबर, 1988 को प्राप्त हुआ।

New Delhi, the 25th October, 1988

S.O. 3402.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Oil Corporation and their workmen, which was received by the Central Government on the 17th October, 1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 288 of 1987

In the matter of an industrial dispute under section 10(1)(d) of the I.D. 1947.

PARTIES :

Employers in relation to the management of Indian Oil Corporation and their workmen.

APPEARANCES :

On behalf of the workmen : Shri S. N. Tewary, Indian Oil Pipeline Employees Association.

On behalf of the employers : Shri Satish Prasad, Personnel Manager.

STATE : Bihar.

INDUSTRY : Oil

Dated, Dhanbad, the 7th October, 1988

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-30012/16/86-D. III (B)/D.III(A), dated, the 27th October, 1987.

SCHEDULE

"Whether the action of the Chief Operation Manager Indian Oil Corporation Ltd. (Pipe Line Division) Barauni in retiring Shri Ganga Singh Negi, Chowkidar w.e.f. 30-4-86 on the basis of age determined by the management is justified? If not, to what relief workman is entitled?"

The case of the workmen is that the concerned workmen Shri Ganga Singh Negi was working as a Chowkidar in Pipe Line Division of India Oil Corporation Ltd. Barauni. He was appointed by the management of Indian Oil Corporation Ltd's Pipe Line Division, New Delhi as Chowkidar with effect from 29-1-68 on the regular scale of pay. Prior to his appointment as Chowkidar he was appointed by the aforesaid management as a casual Messenger on which post he worked till 28-1-68. The concerned workman had filled in various forms at the time of his appointment declaring his date of birth as 29-12-33. He did not undergo general medical examination either before or after his appointment as Chowkidar. Hence the management of Indian Oil Corporation Barauni Kanpur Pipe Line, Barauni in accordance with the provisions of Article 48/49 of the Civil Service Regulations directed the concerned workman to undergo general medical examination. He appeared before the Corporation's nominated medical officer on 12-4-73 for general medical examination. The said medical officer before examining the concerned workman directed him to sign in his presence and declare that he has not been at any time pronounced unfit for government employment by the medical board of any duly constituted medical authority and he was also asked to mention his identification

mark. When the concerned workman complied with the said direction, he was examined by the doctor and was declared fit for employment. The medical officer after examination of the concerned workman on 12-4-73 forwarded the report of the medical examination to the management of Indian Oil Corporation Barauni Kanpur Pipe line Barauni confidentially. The said Corporation's medical officer by submitting the medical report to the management also incidentally mentioned the age of the concerned workman as 45 years by appearances. The concerned workman came to know as 45 years about the contents of the report of the medical officer at the time of conciliation when the representative of the management produced the said medical report before the Conciliation Officer with a copy to the union. The concerned workman had not submitted documentary evidence in support of the date of birth declared by him as 19-12-33. On 17-5-75 the Chief Labour Commissioner (C) and the Appellate Authority under the Industrial Employment (SO) Act, 1946 certified the Standing Order for the workmen of Barauni Kanpur Pipe Line which came into effect after 7 days of 17-5-75. According to clause 24 of the Certified Standing Orders the concerned workman should have been sent to medical officer for determination of his age as the concerned workman had not produced either matriculation/school leaving certificate of date of birth as required under clause 24 of the Certified Standing Orders. In contravention of Clause 24 of the Certified Standing Orders the Personnel and Administrative Officer, Indian Oil Corporation, Barauni and Kumar Pipe Line vide his letter dated 19-10-76 informed the concerned workman that his date of birth has been determined by the management as 12-4-1928 on the basis of the medical report dated 12-4-73 and accordingly he will retire on 30-4-86. The determination of date of birth as 12-4-28 and retirement of the concerned workman on 30-4-86 on the basis of the medical report dated 12-4-73 is illegal and unjustified. The said medical report dated 12-4-73 was in regard to the general examination of health to continue in service in terms of clause No. 1 of the terms of appointment of the concerned workman, and the mention of age in the said medical report was purely incidental observation based on guess-work. The determination of age by appearance only cannot be a safe test as there was neither radiological or clinical test conducted by the said medical officer while mentioning the age of the concerned workman in his report dated 12-4-73. No scientific test was conducted for determination of the age of the concerned workman. The management had informed the concerned workman about the determination of his date of birth as 12-4-28 on the basis of the said medical report dated 12-4-73 and the said rules of the Corporation ceased to have any validity in view of clause No. 24 of the certified Standing Orders which came into effect in May, 1975. In view of clause 24 of the Certified Standing Order the concerned workman should have been referred to the Medical Officer for determination of his age as he had not produced any documentary evidence in support of the date of birth declared by him at the time of appointment. The retirement of the concerned workman on 30-4-86 is neither justified nor legal and as such he should be reinstated in service with full back wages with continuity of service accepting 29-12-33 as the date of birth declared by him.

The case of the management is that the cause of action in respect of the dispute relating to the superannuation of the concerned workman arose at Kanpur and as such the union sponsoring the present industrial dispute had no jurisdiction to raise the dispute relating to the superannuation of the concerned workman before the ALC(C), Patna. The authority under the Industrial dispute Act has no the territorial jurisdiction in respect of the dispute which arose at Kanpur. In the absence of territorial jurisdiction over Kanpur this Tribunal cannot decide the dispute. The dispute ought to have been referred to Tribunal having territorial jurisdiction over Kanpur. The concerned workman had filed the writ Application before the High Court of Indore at Allahabad in Civil Misc. Writ Petition No. 3510 of 1987 in which the workmen had raised the points which are involved in the adjudication. The Hon'ble High Court by the order dated 8-7-87 did not find any ground for interference and the Writ application was accordingly dismissed. The workman is now estopped to challenge the said matter before this Tribunal and the adjudication before this Tribunal is hit by the principle of estoppel and resjudicate.

The concerned workman was offered the post of Chowkidar at Delhi by the management vide letter dated 25-1-68. It was stated in the said offer that the concerned workman would abide by the rules and regulations of the Corporation which may be in force as amended from time to time. The concerned workman had accepted that he would abide by the rules and regulations of the corporation and would regulate his conduct in accordance with the standing Order applicable to him. He was subsequently transferred to Kanpur in 1970. At the time of entering into service he did not produce any authentic document in support of his date of birth. The management got him examined by Company's medical officer in respect of his medical fitness and also to get his age determined. Company's medical officer by his report dated 12-4-73 found him fit for employment in the office of the I.O.C. and the medical officer further estimated the age of the concerned workman to be 45 years on 12-4-73. The management has certified standing orders which is applicable to the concerned workman. Clause 24 of the Certified standing Orders provides that the company will record the age of every workman. It is further stated in it that the matriculation/school leaving certificate or birth certificate shall be deemed to be satisfactory proof of the age of a workman at the time he enters company's services. It further provides that a workman who is unable to produce any of the documentary evidence as mentioned above in proof of his age before joining, he shall be sent to the Company's authorised medical officer for examination free of cost and his opinion as to the workmen's age shall be binding on the workmen. The concerned workman had relied upon a horoscope said to have been submitted by him to the management in which he had stated his date of birth to be 29-12-33. There is no mention of horoscope to be a satisfactory proof of age of a workman in clause 24 of the Certified Standing Orders. The management in accordance with clause 24 of the Standing Order accepted the age determined by the medical officer and his date of birth was determined to be 12-4-28. The said report of the medical officer was duly signed and accepted by the concerned workman but he did not raise any dispute at that point of time in respect of the determination of his age by the medical officer. Subsequently after a considerable lapse of time he wrote to the management that as per his horoscope his date of birth was 29-12-33. The management informed him that as per the Standing Orders the horoscope could not have been accepted and the age determined by the management on the basis of the report of the Medical Officer was correct and binding on the parties. The concerned workman did not take any step to get his age determined either by any acceptable documentary evidence or by any scientific method. The management by its letter dated 1-11-1985 informed the concerned workman that he would be superannuated with effect from 30-4-1986. The concerned workman submitted his protest but it was not acceptable in view of the binding terms or contract of service as contained in the certified standing orders. The concerned workman was superannuated on 30-4-1986 and was released on the same date. The concerned workman has been paid all his retirement benefits and legal dues and he has accepted the same without any reservation in full and final settlement of his claims. The concerned workman cannot now be allowed to challenge his superannuation. If the age as disclosed by the concerned workman is accepted and is given consequential relief would amount to creating a fresh contract of service which cannot be done by this Tribunal under the existing terms of reference. On the above facts it is submitted on behalf of the management that the reference should be answered in favour of the management.

The point for determination in this case is whether the management was justified in superannuating the concerned workman from service with effect from 30-4-86 on the basis of age determined by the management.

The management and the workmen each examined one witness in support of their respective case. The documents of the management have been marked Ext. M-1 to M-14 and the documents of the workmen have been marked Ext. W-1 to W-4.

The facts of the case are admitted. The only point for determination is whether the management was justified in superannuating the concerned workmen with effect from

30-4-86 on the basis of the estimate of his age by the management's medical officer in his medical report dated 12-4-73. Admittedly the concerned workman had not filed any documents in support of the proof of his age stated by him at the time of his appointment. Ext. M-11 is the attestation form dated 12-12-69 of the concerned workman and Ext. M-12 is an extract from the service record card of the concerned workman prepared by the management which would show that the concerned workman had declared his date of birth as 29-12-33. The attestation form Ext. M-11 further shows that he has no educational qualification so that he could produce any school leaving certificate in respect of his date of birth. Ext. M-7 is the guideline for accepting the date of birth and is dated 19-9-75. The management had laid down guideline for admitting the date of birth of employees for employment within the frame work of the Standing Orders in Ext. M-7. It states that when an employee is Matriculate his age is determined as per matriculation certificate only and the employee is non-matriculate, municipal birth certificate/school leaving certificate granted by the previous employer and age as determined by the medical officer at the time of employment may be accepted for admitting the date of birth of a workman. The concerned workman was neither a matriculate and nor had read in any school and as such he could not produce any of the documents in support of the date of his birth as stated by him in the attestation form Ext. M-11.

Ext. M-14 is the Standing Orders of Indian Oil Corporation Pipe Line Barauni. Clause 24 of Ext. M-14 is regarding the record of age of a workman. It provides that the company will record the age of every workman and matriculation or school leaving certificate or birth certificate shall be deemed to be satisfactory proof of the age of the workmen at the time he enters in the company's service. It further provides that a workman who is unable to produce any of the documentary evidence mentioned in clause (a) of 24 of the Standing Orders in proof of his age before joining, he shall be sent by the company to the authorised medical officer for examination free of cost and his opinion as to the workmen's age shall be binding on the workman. As admittedly the concerned workman had not produce any document as required under clause 24(a) of the Standing Orders, it was incumbent on the part of the management to send the concerned workman to the authorised medical officer for examination and his opinion as to the workmen's age shall be binding on the concerned workman regarding the determination of his age. The certified Standing Orders Ext. M-14 was certified on appeal on 17-5-75. The concerned workman had not been referred by the management for the determination of his age by the authorised medical officer of the Company for the determination of his age vide clause 24(b) of the Standing Orders which came into effect after 17-5-75. The management, on the other hand, has based his case of the determination of the age concerned workman on the basis of the confidential medical report dated 12-4-73. The said confidential medical report dated 12-4-73 is Ext. M-6 in the case. It will show that the concerned workman was found fit for employment in office of Indian Oil Corporation. It will further show that the concerned workman had given his statement of age as 40 years and the doctor stated the age of the concerned workman as 45 years by appearance. It is obvious that the medical officer in Ext. M-6 had stated the age of the concerned workman as 45 years by appearance and had not determined the said age on the basis of any scientific data which are applicable for the determination of age of a person. The case of the workmen is that the concerned workman was sent to the doctor for finding whether he was physically fit to continue in employment in the Indian Oil Corporation and that he had not been sent to the doctor for the determination of his age and therefore the medical officer had only given a rough estimate of his age by appearance as 45 years. The case of the workmen appear to be more plausible on this score. The Standing Orders Ext. M-14 came into effect after 17-5-75 but the said estimate of age of the concerned workman by appearance as 45 years was dated 12-4-73 which was much before coming into effect of the Certified Standing Orders Ext. M-14. The estimate of age by appearance in Ext. M-6 therefore was not in accordance with the clause 24 of the Certified Standing Orders Ext. M-14. The evidence of MW-1 on this point is very

relevant. MW-1 has stated at page 3 of his cross-examination that there is no letter on record to the effect that the concerned workman was sent for determination of his age by the medical officer. He has further stated that the medical examination of the concerned workman in Ext. M-6 was as per clause 1 of Ext. M-1. He has also stated that Form of Ext. M-6 was prepared by the management and it was supplied by the management to the medical officer. On reference to clause 1 of Ext. M-1 it is stipulated that the continuous service of the concerned workman shall be subject to his being found medically fit by the medical officer or by Government medical officer of the Status of Civil Surgeon. Thus on reference of Clause 1 of Ext. M-1 and the evidence of MW-1 it will appear that the medical report Ext. M-6 dated 12-3-73 was in fulfilment of clause 1 of Ext. M-1 and the doctor had given his opinion regarding the concerned workman being medically fit for the service and the doctor was not required to determine the age of the concerned workman. It is for this reason that the doctor in Ext. M-6 has given the estimate of the age of the concerned workman as 45 years by appearance and did not come to that conclusion by any medical or scientific test for determination of his age. Moreover, the doctor who had granted the certificate Ext. M-6 has not been examined to show that the age stated by him in Ext. M-6 was an opinion of expert based on scientific test. In my opinion therefore the age stated as 45 years by appearance by the doctor in Ext. M-6 is not a correct criteria to establish that the date of birth of the concerned workman was determined by the medical officer of the company as required under clause 24 of the Standing Order Ext. M-14.

Ext. M-6 itself shows that it was a confidential report sent by the doctor to the management. MW-1 has stated that the medical officer had sent the report to the management which was confidential. He has also stated that he was not present before the medical officer at the time of the examination of the concerned workman and as such he cannot say if any scientific test were done in connection with the determination of the age of the concerned workman. The concerned workman therefore had no knowledge to his age being mentioned by the doctor in Ext. M-6. It is stated in the W.S. of the workmen that the concerned workman could know the said age stated by the doctor during the conciliation proceeding and as such it was not possible for him to protest against the said age mentioned by the doctor in Ext. M-6.

In my opinion the estimate of age of the concerned workman by appearance as 45 years on 12-4-73 stated by the medical officer is not at all a good criteria for determination of the date of birth of the concerned workman specially, in view of the specific provision made in clause 24 of the Standing Orders of the Company Ext. M-14 and accordingly I hold that the said estimate of age cannot be taken to determine the superannuation of the concerned workman with effect from 30-4-86.

The management has raised objection regarding the territorial jurisdiction of the Tribunal. It is stated by the management that this Tribunal has no territorial jurisdiction to decide the case of Kanpur where the dispute arose. Without going much into the matter I would only state that the Tribunals are not confined in their jurisdiction by any territorial jurisdiction. It is for the Government to refer the dispute of any place to any of the Tribunals established under Section 7 of the I.D. Act. The jurisdiction of a Tribunal is not limited by specifying any territorial jurisdiction. As the Government has referred this dispute under Section 10(2)(d) of the I.D. Act for adjudication, this Tribunal has full jurisdiction to decide the dispute referred to it. In my opinion, this objection raised on behalf of the management is without any foundation.

The management has further objected that the concerned workman was employed by the management of Kanpur and was superannuated from service from Kanpur and as such the cause of action in respect of the dispute relating to the superannuation of the workman arose at Kanpur and as such the union sponsoring the industrial dispute had no jurisdiction to raise the dispute of the concerned workman before the ALC(C) Patna. Ext. M-4 dated 19-10-76 is a letter by the Personnel and Administrative Officer of Indian Oil Corporation Pipe Line Division, Barauni to the concerned workman by which the management admitted the date of birth of the concerned workman as 12-4-82 as per medical certificate dated

12-4-73. This was issued by the Pipe Line section at Barauni. MW-1 has stated that the Headquarters (Administration) of Barauni Kanpur Pipe Line is at Barauni which is within the jurisdiction of ALC(C) Patna. He has stated that the Chief of Barauni and Kanpur has its office at Barauni and the Dy. Manager is the Incharge of Kanpur terminal of Barauni Kanpur Pipe line and is under the administrative control of Chief Operation Manager of Barauni Kanpur Pipe Line posted at Barauni. He stated that Ext. M-4 originated from Barauni. Ext. W-3 is the comment of the management before the ALC(C) Patna dated 11-3-86. The management did not raise any objection in the said comment that the ALC(C) Patna had no jurisdiction to conciliate over the industrial dispute in respect of the concerned workman on the ground that the concerned workman was superannuated at Kanpur. The evidence of MW-1 and other papers clearly establish that the Barauni Kanpur Pipe Line in which the concerned workman was working was within the administrative control of the headquarters at Barauni and that the Chief of Barauni Kanpur Pipe Line has its office at Barauni. In my opinion the objection raised by the management regarding the jurisdiction of ALC(C) Patna to conciliate the industrial dispute is also not justified as the concerned workman was being controlled by the Barauni Kanpur pipe line whose headquarters was at Barauni.

In view of the discussions made above it is clear that the management had not got the age/date of birth of the concerned workman determined by the Medical Officer under clause 24 of the Standing Orders of the Company. According to the workman the age of the concerned workman is 29-12-35 and if the said age date of birth of the concerned workman is correct he would be superannuated with effect from 29-12-91 as such the management should follow the provision of clause 24 of the Standing Order Ext. M-14 and send the concerned workman to their authorised medical officer for the determination of age of the concerned workman which shall be binding on both the parties and the superannuation of the concerned workman also will depend on the said determination of his age by the medical officer.

In the result, I hold that the action of the Chief Operation Manager, Indian Oil Corporation Ltd. (Pipe Line Division) Barauni in retiring the concerned workman Shri Ganga Singh Negi, Chowkidar with effect from 30-4-86 on the basis of age determined by the management is not justified. The management is directed to send the concerned workman to the management's authorised medical officer for examination and determination of the age/date of birth of the concerned workman under clause 24 of the Standing Orders within one month from the date of publication of the Award. The reinstatement of the concerned workman and the payment of the back wages and other emoluments will be governed on the basis of the determination of the age/date of birth of the concerned workman by the company's authorised medical officer.

This is my Award.

I. N. SINHA, Presiding Officer

[No. L-30012/16/86-D III(B)]

नई दिल्ली, 26 अक्टूबर, 1988

का.आ. 3403—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार श्री दिग्विजय सीमेंट कंपनी लिमिटेड, डा. दिग्विजय ग्राम (सिक्का), गुजरात के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, अहमदाबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18 अक्टूबर 1988 को प्राप्त हुआ था।

New Delhi, the 26th October, 1988

S.O. 3403.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Ahmedabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Shree Digvijay Cement Company Ltd., P.O. Digvijayrana (Sikka), Gujarat and their workmen, which was received by the Central Government on the 11th October, 1988.

ANNEXURE

BEFORE SHRI C. G. RATHOD, THE PRESIDING
OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, AHMEDABAD

Reference (ITC) No. 2 of 1987

ADJUDICATION

BETWEEN :

Shree Digvijay Cement Company, Ltd.,
P. O. Digvijaygram (Sikka),
Gujarat.

AND

The Workmen employed under it.

In the matter whether the action of the management of Digvijay Cement Company Ltd. Gop Mines, Gop in suspending Shri Bhagwan Singh Dumper Operator for the act of alleged mis-conduct and not paying him wages for 4 days from 29-8-1984 to 1-9-1984 is justified ? If not, to what relief the workman is entitled ?

APPEARANCES :

Shri G. K. Rathod for the Union.

Shri B. B. Vakil for the company.

AWARD

By an order No. L-29012/10/85-D III (B), dated 3-12-1986, the Desk Officer, Government of India, Ministry of Labour, New Delhi, in exercise of the powers conferred u/s. 10 (1) clause (d) of the I. D. Act, 1947, has referred the dispute between the Shree Digvijay Cement Company Ltd., P. O. Digvijaygram (Sikka) Gujarat and their workmen to the Presiding Officer, Industrial Tribunal, Ahmedabad. The said dispute was then referred to this Tribunal. The dispute referred to is as under :—

"Whether the action of the management of Digvijay Cement Company Ltd., Gop Mines, Gop in suspending Shri Bhagwan Singh Dumper Operator for the act of alleged mis-conduct and not paying him wages for 4 days from 29-9-84 to 1-9-84 is justified ? If not to what relief the workman is entitled ?"

2. The Union, Shree Digvijay Cement Mazdoor Sangh has filed its statement of claim at Ex. 7 and they have contended that the order suspending the concerned workman from 25/29-8-1984 for 4 days be declared as illegal and ultra vires and that he be compensated for the financial loss sustained by him.

3. By Ex. 10, Shree Digvijay Cement Co. Ltd. has filed its written statement and it is not necessary now to refer to the various contentions raised therein. It is contended that the workman cocered was working as a Dumper Operator and he had shown gross negligence causing heavy damages to C. T. P. T. unit and loss to the Company's property on 2-8-1984 and in this connection, he was charge sheeted and an inquiry was held on 18-8-1984. The witnesses were examined and the concerned workman was given opportunity to cross examine them and also to bring defence witnesses and thereafter the Management thought it fit to suspend the workman concerned for 4 days and that suspension order was passed on 29-8-1984. The said order is just, legal and proper and that the present reference is entirely baseless and false

4. Before the reference could be heard and decided on merits, Mr. G. K. Rathod for the Union and Mr. B. B. Vakil for the company have filed an amicable settlement at Ex. 16. Looking to the terms of the settlement, it appears that it is just and fair in as much as the Company has now agreed to convert the 4 days of suspension into that of leave with wages and if the same is not in balance, then the concerned workman will be eligible for leave without pay and in that view of the matter, the Union has not pressed for any other reliefs and in the circumstances the settlement is recorded and I propose to pass an award in terms of the settlement and hence the order :

ORDER

The award in terms of settlement is at Ex. 16. The Ex. 16 will form part of the award. No order as to costs.

Sd./-

N. D. SHAH, Secy.

Ahmedabad, 22nd September, 1988.

Sd./-

G. G. RATHOD, Presiding Officer.

BEFORE SHRI G. G. RATHOD, HON'BLE INDUSTRIAL
TRIBUNAL (GUJARAT) AT AHMEDABAD

Reference (IT) No. 2 of 1987

BETWEEN

Shree Digvijay Cement Co. Ltd.,
Digvijaygram :

AND

The workmen employed under it.

In the above mentioned Reference, the parties have arrived at an amicable settlement and request the Hon'ble Tribunal to pass an Award in terms thereof :—

Terms of Settlement

- (1) That the concerned workman was suspended for 4 (four) days vide the order dated 25/29-8-1984 and now the concerned workman has regreted for the incident and hence the company agrees to convert the 4 days of suspension into that of leave with wages and if the same is not balance, then the concerned workman will be eligible for leave without pay.
- (2) In view of the above, the concerned workman and the Union do not press for any other relief as provided for in the statement of claim, or otherwise.

Ahmedabad.

Dated : 20-9-1988.

Sd./-

Advocate for the company.

Sd./-

Advocate for the Union.

[No. L-29012/10/85-D.III(B)]

नई दिल्ली, 27 अक्टूबर, 1988

का. आ. 3404—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एयरलाइन्स के प्रबन्धन से सम्बन्धित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-10-88 को प्राप्त हुआ था।

New Delhi, the 27th October, 1988

S.O. 3404.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Airlines and their workmen, which was received by the Central Government on the 17-10-1988.

ANNEXURE

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 60/87 & 67/88

In the matter of Dispute

BETWEEN :

The General Secretary,
Indian Flight Engineers' Association,
Santacruz Airport,
Bombay.

Versus

The Managing Director,
Indian Airlines, Airlines House,
113, Gurudwara Rakabganj Road,
New Delhi-110001.

APPEARANCE :

Shri A. K. Mitra for the workmen.
Shri Lalit Bhasin for the management.

AWARD

This Order shall dispose of two connected. Industrial Disputes No. 60/87 and 67/88 between the same parties.

2. The Central Government in the Ministry of Labour vide its order No. L-11011/5/1986-D.II(B), dated 24th July, 1987 has referred the following Industrial Dispute to this Tribunal for adjudication which has been registered as I.D. No. 60 of 1987.

"Whether the demand of Indian Flight Engineers' Association for having 2 scales of pay for line Flight Engineers in Indian Airlines viz. (i) Rs. 1550-2480 (ii) Rs. 1720-2580 at par with Air India is justified? If yes, to what relief they are entitled and from what date?"

3. In the course of the proceedings in the above mentioned dispute the workmen filed a complaint under Section 33-A of I.D. Act, 1947, that during the pendency of the dispute the management had changed their service conditions which was registered as I.D. No. 67 of 1988 and notice was given to the management. On 30-8-1988 the representative of the workmen made statement that he did not press for the complaint and 'no dispute' award may be given. In the light of this statement of the representative of

the workmen, 'no dispute' award is given is so far as Industrial Dispute No. 67/1988 is concerned.

4. In I.D. No. 60/1987, the workmen filed a statement of claim in which it was averred that Air India International and Indian Airlines Corporation were two Corporations established under the Air Corporations Act, 1953, and at later date Air India International was re-named as Air India and Indian Airlines Corporation was re-named as Indian Airlines. As far back as 1964, the Central Government made reference of an Industrial Dispute between the management of Air India and their workmen to the National Industrial Tribunal, New Delhi, which was presided over by Hon'ble Mr. Justice G. S. Khosla, retired Chief Justice of the Punjab High Court. The Award of the said National Tribunal which has come to be known as the Khosla Award, inter alia enunciated and explained the interse relationship between the employees and workmen of one corporation with the other i.e. between Air India and Indian Airlines and the pay and allowances which should be admissible to either of them. Although the dispute in the Khosla Award was raised at the instance of the workmen of Air India only, yet as seen from part-II of the Scheduled referred to at page 237 of the award, one of the issues raised therein was as under :—

"What relationship, if any should the wage structure of Air India bear to the structure of Indian Airlines with reference to comparable categories of workmen performing similar functions?"

In the said Khosla Award it was held that the two Corporations i.e. Indian Airlines and Air India are so similar both in their constitution and in their objectives, that there should be not only similarity in wage structure, but as close a parity as it is possible to maintain having regard to the local and other differences. It was further held that as far as the Flight Crew and the Engineers' were concerned, there was a close similarity between the duties of the workmen of two corporations and that there should be a parity or near-parity between the workmen of Air India and the workmen of Indian Airlines with regard to comparable categories of workman performing similar functions and that as the Engineering Staff of both the corporations performed similar duties, their wage structure should be the same. The workmen also relied upon the observations of Hon'ble Mr. Justice Fazl Ali in the case of Air India versus Norgesh Meerza and others A.I.R. 1981 SC 1829, wherein it was held that Air India and Indian Airlines formed one single entity. It was further stated that the pay scale of the Flight Engineers of Air India were revised and fixed at Rs. 1270-50-1320-60-1500-100-1700. This scale of pay was further revised w.e.f. 1-4-1978 and a new pay-scale was introduced as per memorandum of settlement dated 13-9-1982 and the pay scale was fixed at Rs. 1550-50-1600-60-1780-100-1980. By a similar memorandum of settlement dated 3-12-1981 the pay scale of Flight Engineers' of Indian Airlines was revised and fixed in the same scale as for the Flight Engineers of Air India i.e. Rs. 1550-1980. The pre-revised scale in the Indian Airlines was also the same as in Air

India i.e. Rs. 1270-1700. By virtue of award dated 24-2-1979 made by the Central Government Industrial Tribunal No. 2 Bombay, various additional facilities were conceded in favour of the Flight Engineers' of Air India. One of these facilities is that the Flight Engineers' who had already reached their maximum of pay in the grade i.e. Rs. 1270-1700 would be given immediate promotion in a new pay scale of Rs. 1410-60-1500-100-1900. It was further provided that, in future, strength of the Flight Engineers in the grade of Rs. 1440-1900 would be 20 per cent of the cadre strength and the percentage might be increased in future. The association of Flight Engineers' of Indian Airlines moved the Management of Indian Airlines on several occasions to grant them similar pay scales and promotional avenues as were made available to the Flight Engineers of Air India and not to make invidious discrimination between the Flight Engineers of Air India and those of Indian Airlines, but their demands have remained unheeded. The Association of Flight Engineers then raised Industrial Dispute and the matter went for conciliation but resulted in failure and hence the dispute was referred to this Tribunal. The workmen have prayed for creation of two scales of pay for the Line Flight Engineers of Indian Airlines viz. Rs. 1550-2480 and i.e. (Rs. 1720-2580) along with Rs. 100/- as personal pay which is given in place of last and 5th increment at par with Air India with effect from the date of scales were introduced in Air India.

5. The Management of Indian Airlines opposed the demand made by the Flight Engineers' Associations in the written statement filed by it. It was submitted that the Khosla Award and the Award dated 21-2-1979 delivered by the Bombay Tribunal pertained to the management of Air India and was not binding on the management of Indian Airlines. The management of Indian Airlines is not under any obligation to create new posts in the higher scales of pay merely on the ground that the management of Air India had done so. It is impracticable and impossible because of the reasons that the requirement/work load of the two corporations are entirely different. Though, the two corporations were created by the same Act i.e. Air Corporations Act, 1953, their objectives structures and business principles are different. Their employees are governed by different conditions of service and entitled to different remunerations and privileges. It was further stated that in the Khosla Award itself, it was mentioned that the award with regard to part-II of the schedule could not have the same binding force as the award on Part-I. Part-I of the award was between the workmen and management of the Air India in which both the parties had been exhaustively heard on each and every item, whereas Part-II of the award which related to the wage structure of the Indian Airlines, neither the management of Indian Airlines nor the workmen of Indian Airlines were party to the proceedings. Therefore, the award is not binding and could have only persuasive value as far as the management of Indian Airlines is concerned. It was denied that as far as the Flight Crew and Engineers are concerned there is a close similarity between Air India and Indian Airlines. Moreover, the Khosla Award had recommended only a parity or near parity between the workmen of the two corporations with regard to the comparable categories of

workmen performing similar functions and it had nowhere observed that there should be an absolute parity between the wage structure of the two corporations. It was further stated that the observations made by Hon'ble Justice Fazi Ali in case Air India versus Nergesh Meerza and others are not binding on the management of Indian Airlines as the Indian Airlines was not a party to proceedings, in the case before the Supreme Court. It was further stated that the demands relating to the creation of two scales of pay for the Line Flight Engineers of Indian Air Lines viz. (i) (Rs. 1550-2480) and (ii) (Rs. 1720-2580) at par with Air India are absolutely unreasonable and unwarranted.

6. The association of the workmen filed an additional statement of claim dated 2-11-1987 in which it was submitted that the Indian Airlines is an organisation entirely owned by the Central Government and it is essential that it should have a clear cut policy in regard to the promotion of its employees and the policy should conform with the promotional policy of the Central Government. In the Indian Airlines, the Flight Engineers are the only technically qualified licensed category of workmen who do not have any scope for further promotion. There are Flight Engineers in the Indian Airlines at present who are stagnation in the same grade for the last 20 years or more and some have retired after being in the same grade for 26 years. The management in its reply to this additional statement of claim submitted that it was mis-conceived and result of an after thought and that through this additional statement of claim, the workmen intended to amend not only their earlier statement of claim but the whole of the reference as made by the Central Government which is impermissible under the law. I have heard the arguments on this additional statement of claim and I agree with the contention of the management that it is misconceived and intended to enlarge the scope of the terms of reference which is impermissible under the law hence this additional statement of claim is dis-allowed.

7. The parties did not produce any oral evidence and placed reliance on their pleadings and the documents placed on the records. I have heard the arguments submitted by representatives of both the parties.

8. Some of the relevant extracts from the Khosla Award are re-produced below :—

at page 238 para 369 :

"Shri Pal stated before me that generally speaking, the management of the Indian Airlines Corporation was prepared to grant the same pay and conditions of service with minor modifications to its employees as obtained in the Air India Corporation, particularly with regard to pilots flight crew and the engineering staff."

at page 238 para 370 :

"Any award that I make with regard to part-II of the Schedule cannot be said to have the same binding force as my award on part-I which is between two parties who have

been exhaustively heard on each and every item. Under law both Air India and its workmen are bound by my award. The IAC is not a party to these proceedings nor are its workmen. In the circumstances, my award cannot be binding in the same sense as my award on part-I. Shri Pai, nevertheless, said that the IAC would accept my adjudication with regard to part-I also and implement it. It is clear that no question of a workman refusing to be bound by what I can say arises unless the workmen is adversely affected by it. I feel that it would be improper for me to lay down categorically the relationship which should exist between the wage-structure of Air India and Indian Airlines Corporation. At the same time, I do feel that the two corporations are so similar both in their constitution and in their objective that there should be not only a similarity in their wage structure, but as close a parity as it is possible to maintain, having regard to the local and other differences. Both Corporations operate in the public sector, and the funds of both are provided by Government. Both are air transport industries. Thus, as far as the flight crew and the engineers are concerned, there is a close similarity between the duties of the workmen of the two Corporations. This has been admitted by Shri Pai on behalf of IAC and he has conceded that the Corporation is willing to accept the salary scales which this Tribunal will award to the workmen of Air India."

at page 239 para 3717

"I would, therefore, say that there should be a parity or near parity between the workmen of Air India and the workmen of Indian Airlines Corporation with regard to comparable categories of workmen performing similar functions. The engineering staff of both the Corporations perform similar duties and their wage-structure should be the same."

at page 251, item No. 58 of part-II.

"There should be a parity or near parity between the workmen of the two corporations with regard to comparable categories of workmen performing similar functions."

It is apparent from the above extracts from the Khosla Award that, although the management of the Indian Airlines was not a party to the reference made to the Khosla Tribunal, yet its representative Shri Pai repeatedly committed before the Khosla Tribunal that generally speaking the management of the Indian Airlines was prepared to grant the same pay and condition of service with minor modifications to its employees as obtained in the Air India particularly with regard to the Pilots, Flight Crew and the Engineering staff. Again, when the Tribunal was of

the view that the award with regard to the part-II of the Shedule cannot be said to have the same binding force as the award on part-I, yet, Shri Pai on behalf of the Indian Airlines, stated that the Indian Airlines would accept the adjudication with regard to part-I also and implement it. In the light of the commitments made by Shri Pai on behalf of Indian Airlines before the Khosla Tribunal, it does not lie in the mouth of the management of Indian Airlines now to say that the Khosla Award is not binding upon it. The Khosla Tribunal has clearly held that there should a parity or near parity between the workmen of Air India and the workmen of Indian Airlines with regard to the comparable category of the workmen performing similar functions. In respect of the Flight Engineers, it was clearly held in the Khosla Award that as far as the Flight Crew and the Engineers are concerned, there is a close similarity between the duties of the workmen of the two corporations. This had been admitted by Shri Pai on behalf of the Indian Airlines and he conceded that the Indian Airlines Corporation was willing to accept the salary scale which the Tribunal would Award to the workmen of Air India. In view of these observations of Khosla Tribunal, there cannot be any dispute that there is a close similarity between the duties of the Flight Engineers' of Indian Airlines and these of Air India. In view of the commitment made by Shri Pai before the Khosla Tribunal, the management of the Indian Airlines was honour bound to grant the same salary scale to the Flight Engineers' of Indian Airlines as were granted to the Flight Engineers' of Air India from time to time. It is not disputed that in Air India, two pay scales viz. (i) Rs. 1550—2480 and (ii) Rs. 1720—2580 have been granted to the Line Flight Engineers'. In accordance with the Khosla Award and the commitment made by Shri Pai on behalf of Indian Airlines before the Khosla Tribunal, the demands of the Indian Airlines Flight Engineers' Association that there should be similar two scales of pay in the Indian Airlines is fully justified.

9. In view of the discussions made above, this reference is answered in favour of the workmen and it is directed that the two scales of pay provided in Air India i.e. (i) Rs. 1550—2480 and (ii) Rs. 1720—2580 should be allowed to the Line Flight Engineers' of the Indian Airlines from the dates these scales of pay were introduced in Air India. The concerned Flight Engineers shall be paid the arrears which become payable to them as a result of this award within two months of the enforcement of this award, failing which the management shall be liable to pay compound interest @ 12 per cent per annum from the date of this award.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Govt. for necessary action at their end.

30th September, 1988

G. S. KALRA, Presiding Officer

[No. L-11011/5/86-DII-B/D II-B]

नई दिल्ली, 28 अक्टूबर, 1988

क्र. आ. 3405.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत सोल्ड माईन्स लि. के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-10-88 को प्राप्त हुआ था।

New Delhi, the 28th October, 1988

S.O. 3405.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bharat Gold Mines Ltd., and their workmen, which was received by the Central Government on the 21-10-1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT BANGALORE

Dated, 17th October, 1988

PRESENT:

Shri B. N. Lalge, B.A. (Hons), L.L.B., Presiding Officer
Central Reference No. 166/87 and 168/87

CR. 166/87

I PARTY

Sri Sagayara Jayaseelan
P.E. No. 162220 by
Sr. Joint Secretary,
B.G.M.L. Labour Association
Oorgaum (Post), K.G.F.

Vs.

II PARTY

The Chairman and Managing
Director, B.G.M.L.,
Oorgaum, K.G.F.

CR. 168/87

I PARTY

Sri Dominic Xavier,
Rep. by Sr. Joint Secretary,
B.G.M.L., Labour Association.
Oorgaum (Post), K.G.F.

Vs.

II PARTY

The Chairman and Managing
Director, B.G.M.L.,
Oorgaum, K.G.F.

CR. 166/87

APPEARANCES:

For the I Party—Shri V. Gopala Gowda, Advocate.

For the II Party—Shri K. J. Setty, Advocate.

CR. 168/87

For the I Party—Shri S. Ananda Ramalah, Advocate.

For the II Party—Shri K. J. Shetty, Advocate.

AWARD

By exercising its powers under Section 10(1) (d) and (2A) of the I.D. Act 1947, the Government of India, Ministry of

Labour has made the following two references by their order Numbers: (1) L-43012/25/87-D. III(B) dated 23/25-11-1987 in the case of Shri Sagayara Jayaseelan, (2) L-43012/24/87-D. III(B) dated 24/27-11-1987 in the case of Shri Dominic Xavier. The points of reference in the two cases are as follows:

CR 166/87

POINT OF REFERENCE

"Whether the action of the Management of M/s. Bharat Gold Mines Ltd. in dismissing from service Shri Sagayara Jayaseelan, P.E. No. 162220, Ex. Gen. Labourer, was justified? If not, what relief is the workman entitled to?"

CR 168/87

POINT OF REFERENCE

"Whether the action of the Management of M/s. Bharat Gold Mines Ltd., in dismissing from service Shri Dominic Xavier, P.E. No. 137598 Ex. General Labourer, was justified? If not, what relief is the workman entitled to?"

3. Both the parties in the two cases, C.R. No. 166/87 and 168/87 have filed a joint memo on 12-2-1988 that the common questions of law and fact have been involved in these two matters and they may be clubbed together. The said request was accepted and both the matters have been clubbed together and common evidence have been recorded. A common award is being passed.

4. In C.R. No. 166/88, the workman Shri Sagayara Jayaseelan has pleaded as follows.

The management was not justified in dismissing him, alleging that he had indulged in the theft of employer's property on 7-9-1986 at about 8.30 a.m. at 100 level auxiliary main wing, west reef. The said allegation is false. The action of the management is arbitrary and unjust. The II party did not give him adequate opportunity to defend himself and to cross-examine the management witnesses. The Enquiry Officer failed to get them material object before him. The enquiry was not conducted according to rules. The management did not produce the relevant documents. The Enquiry Officer has acted as a prosecutor and a judge. The reasoning adopted by the Enquiry Officer is not correct. The witnesses were coerced. The defence evidence has not been properly appreciated. The Enquiry Officer has relied upon the mahazar prepared by the police, but it is incorrect. The management did not produce evidence to show allocation of work. He has served the company for more than five years. The order of dismissal may be set aside and he may be ordered to be reinstated with all the consequential benefits.

5. The II party management has filed its counter statement and inter alia, it is stated as follows.

He was assisting another employee by name Sri Dominic Xavier to collect one gunny bag, filled to its half about 8 to 10 kgs. of G.B.O. powder and another bag containing 10 to 12 kgs. of G.B.O. and another bag containing about 2 kgs. of G.B.O. powder, covered with iron basin and kept hidden in the steel arc rail and they were caught red handed by the watch and ward personnel. He was chargesheeted for the said act of misconduct. The charges against him were proved. He was given all the reasonable opportunity to defend himself. The list of witnesses was given to him. He was permitted to cross-examine the management witnesses. Mahazar was produced before the Enquiry Officer. The Enquiry Officer has taken into account all the material facts and circumstances of the case while recording his findings. He has given cogent reasons for his findings. It is not correct that witnesses were coerced to give evidence. The property had been seized by the police for investigation of the case. It was for him to show that he was at the place of his assignment. The order of dismissal is correct. The reference may be rejected.

6. In C.R. 168/87, the I party workman has filed his claim statement and his contentions are as follows:

The management is not justified in dismissing him on the allegation that he has indulged in the theft of employer's property on 27-9-86 at about 8.30 a.m. at 100 level auxiliary main winz, west reef. The said allegations are false. The action of the management is unjust and arbitrary. Copy of the complaint was not given to him. Adequate opportunity was not given to him to defend himself. He was not given an opportunity to cross-examine the management witnesses. List of witnesses was not given. The material object of the case was not produced before the Enquiry Officer. The enquiry held is not according to the procedure. He was not in possession of any incriminating article. There is no evidence to connect him with any act of misconduct. The Enquiry Officer has acted as a prosecutor and a judge. The reasoning that he was allocated work at 100 level main reef south drive, but he was found at 100 level auxiliary main winz, west reef is incorrect. The witnesses were coerced to give evidence. The Enquiry Officer has not appreciated the evidence correctly. The Enquiry Officer has relied upon the mahazar, but it is not correct. The II party did not produce evidence to show allocation of work. The II party has failed to show that he had left his place of work. He has put in eight years of service. The order of dismissal is illegal. He may be ordered to be reinstated with all the consequential benefits.

7. The II party has filed its counter statement and inter alia, it has contended as follows.

On 27-9-86 at about 8.30 a.m. he had been allocated work at 100 level main reef, South Drive, but he was found at 100 level auxiliary main winz, west reef. He was climbing up on steel archrail with the help of another employee Sagayaraj to take the G.B.Q. There was one gunny bag gilled up to its half, containing about 8 or 10 kgs., another gunny bag containing 10 to 12 kgs. of G.B.Q. and one more bag containing about 2 kgs. of G.B.Q. powder, and they were caught by the watch and ward personnel. Thereafter, he was charge-sheeted. He was given all the opportunity to defend himself. The Enquiry Officer has followed the procedure shown in the standing orders. A copy of the complaint was given to him. He was given opportunity to cross-examine the witnesses. The material object had been taken by the police and the mahazar was produced before the Enquiry Officer. It is false that he has been implicated on account of ill-will. The Enquiry Officer has acted in an impartial manner. The place of allocation of work and the place where he was found have been proved before the Enquiry Officer. It is not correct that witnesses were coerced to give evidence. It is denied that he was working satisfactorily. The order of dismissal is correct. The reference may be rejected.

8. In both the cases, a preliminary issue was drawn up to the effect whether the II party proves that the domestic enquiry held by it is in accordance with law.

9. The management examined the Enquiry Officer and got marked Exs. M-1 to M-16.

10. Both the workmen have examined themselves.

11. The parties were heard.

12. By a considered order dated 3-6-1988, it has been held that the II party has held the domestic enquiry against them in accordance with law. The parties were called upon to adduce further evidence, if any, and then argue.

13. No more evidence has been adduced by either party.

14. They have been heard.

15. My findings on the point of reference are as follows:

CR NO. 166/87

The Management of M/s. Bharat Gold Mines Ltd., was justified in dismissing Shri Sagayaraj Jayaseelan P.E. No. 162220 and that he is not entitled to any relief.

CR No. 168/87

The Management of M/s. Bharat Gold Mines Ltd., was justified in dismissing Shri Dominic Xavier, P.E. No. 137598 Ex. General Labourer and he is not entitled to any relief. 2730 GI/88—12

REASONS

16. The claim statements of both the workmen show that they challenge that the Enquiry Officer has not given the findings, correctly. The first test of perversity is to examine whether the findings of the Enquiry Officer are not supported by legal evidence. The evidence recorded by the Enquiry Officer is to be found at Ex. M-7 from pages 34 to 140 of the file. As many as 10 witnesses have been examined for the management as shown on page 2 of the findings of the Enquiry Officer at Ex. M-9. There is no case pleaded by the I party workmen that the evidence of any of these 10 witnesses was inadmissible. The bunch of documents relied upon for the management are marked as Ex. M-16 series. They are from page 1 to 13 in the file. The documents of Ex. M-16 series are the complaint of Foreman G.K. Ravi, report of the Manager, Central Assay and Chemical Laboratory, reports of the supervisors of the watch and ward personnel such as Md. Mustoof Sivachari, Chief Security Maj. Vinay Kullar and the mahazar dated 27-9-1986. On going through these documents of Ex. M-16 series, it cannot be said that anyone of the bunch was inadmissible in evidence. The oral and documentary evidence produced before the Enquiry Officer has been admitted in accordance with the law and it cannot be said that the Enquiry Officer has based his findings on evidence which was not permissible.

17. The second test of perversity is whether on the basis of the material placed on record, any reasonable person could have arrived at the findings complained of. Exs. M-1 and M-2 are the orders of appointment showing that Shri A. A. Das, Assistant Personnel Manager was appointed as the Enquiry Officer. Exs. M-3 and M-4 are the show cause notices i.e. chargesheets issued to both of them. Exs. M-5 and M-6 are the explanations given by these two workmen to the said chargesheet. Ex. M-8 from pages 27 to 33 is the bunch of order sheets maintained by the Enquiry Officer. The proceedings at Ex. M-7 show that when the I party workmen appeared before the Enquiry Officer on 17-10-1986, the chargesheets were explained to them in Tamil and they were asked whether they understood the same. Both of them have stated that they have understood the same and they have pleaded not guilty. They have further stated that they have their own witnesses such as Shasidharan, Anthony, Prabhakaran and Indrajit. They have further stated that they wanted the assistance of Shri M. Maruthavanam, the organising Secretary of the INTUC. They have been permitted to have him as their D.R. After that, the 1st witness Sivachari has been examined. His evidence discloses that on 26-9-86 at about 4 p.m. the Chief Security Officer had called him and told him that there was gold smuggling activity in N1 Section of Gifford's Shaft and that he should go to 99 and 100 levels. (Management witnesses are henceforth shown as PW-1, PW-2 etc.). PW-1 Sivachari has further stated that the Chief Security Officer had further informed him that he had credible information that such illegal activity was going on at the 100th level, west reef north drive, which is an abandoned area and where there is a small ventilation door. According to PW-1 he was further told that he should go there on 26-9-86 during night time and also keep watch at the time of morning shift of 27-9-86. His evidence then discloses that with the instructions of the C.S.O., himself, Siddoji Rao G.D. o. 202, Mohan G.D. No. 62, Joginder Singh S.D. No. 175 went to the Gifford's shaft at about 8 p.m. and passing through 70th level, 95 auxiliary main winz 97th level. There, they had some briefing by Siddoji Rao and went down the ladder to the 99th level. There, was no illegal activity at that point. After that they further went down the ladder, to the 100th level and at about 1.30 a.m. they reached the place indicated by the C.S.O. According to PW-1 there is one steel set up with back wall and he checked up the said spot. At that spot, he found one gunny bag containing to its half fine stuff, another gunny bag with quarry pieces and within the bag there was another bag containing fine stuff and small quarry pieces and it was covered with an iron basin. PW-1 Sivachari told his other colleagues also to climb up and examine the same and they also saw the materials hidden at that place. His evidence further discloses that then they came to 100th level auxiliary main winz flat for searching whether anybody would go there. He has then stated that on that night none came there. According to him on 27-9-86 in the morning at

about 6 a.m. they moved to the south drive and kept a watch at that spot. Around 7.30 a.m. one worker came there, opened the big ventilation doors and with the help of cap lamp he saw the place. According to PW-1 after sometime he heard the lowering of empty bandies and after sometime the said sound also ceased. It appears in his evidence that thereafter they moved towards the north drive where the said materials were kept hidden and sat at a distance of about 10 ft. away and kept watching. Around 8.30 a.m. two workers opened the small ventilation door and went inside the same and one of them climbed on the steel set to take the materials. At that time, one more worker came there and with his cap lamp flashed the light and accompanied him to take the material and by that time they moved towards the first workman and caught him. The other person who was flashing cap lamp shouted as detectives, detectives and thereupon the I party workman jumped down from the steel set up and tried to run away, but Siddoji Rao caught him. PW-1 Sivachari caught the second person who had accompanied the first person. The third person who had flashed light, however, ran away. According to PW-1, then they ascertained the name of the person whom he had caught and he told that he is Sagavaraia Jayaseelan. The evidence of PW-1 then indicates that Sagavaraian was feeling inconvenient and there was breathing trouble and he asked for water and air passage. In order to help him PW-1 opened the door of the small ventilation for air passage and thereafter Siddoji Rao told him and Mohan to go and bring the Foreman. His evidence further discloses that both of them went and telephoned to the Chief Security Officer that Foreman was not found and the C.S.O. told them that he will arrange to send the Foreman. Around 9.50 a.m. the Foreman Ravi was seen at the spot and he was told about the incident. Another workman who had been apprehended was Dominic Xavier. According to PW-1 Sivachari when the material was shown to the Foreman, he requested them not to book the case and he did not co-operate with them, but however wrote about the case with no mind. As per the evidence of PW-1, at that time another Foreman approached them and told them that the Manager had told them to bring the workers and the materials to the surface and accordingly all of them went to the surface.

18. On 23-10-86, at about 3.30 p.m. PW-2 Siddoji Rao has been examined by the Enquiry Officer. Siddoji Rao has been cross-examined on 24-10-86. PW-1 Sivachari has been cross-examined on 18-10-86. PW-3 Joginder Singh has been examined on 24-10-86. He has been cross-examined on 4-11-86. PW-4 Mohan has been examined on 31-10-1986. He has been cross-examined on 15-11-86. The evidence of PW-1 Sivachari, PW-2 Siddoji Rao PW-3 Joginder Singh, PW-4 Mohan is on the same lines that when they were watching at the 100th level, two persons came there, opened the ventilation door and the first of them climbed on the steel set up and the third person was flashing light and when PW-1 caught the first person, the third person ran away and they were able to apprehend only the first two workmen. The cross-examination of PW-1 is mainly directed to the point whether they were beyond their duty hours and PW-1 has stated that depending upon the exigencies of the situation they have to work for all the 24 hours in a day. The learned counsel for the I party contended that it cannot be believed that any person could have kept waiting from 1.30 a.m. to 6 a.m. and thus the story put forth by the management is unbelievable. The C.S.O. had instructed all these watchmen of the security department to go and put a check to the gold smuggling activity and since it was their duty to keep a watch, I do not find that there was anything strange if they had kept a watch from 1.30 a.m. to 6 a.m. or so and especially so when they had found that some persons had stealthily kept the G.B.Q. material in an abandoned place where there was no passage of air also. The cross-examination of PW-2 Siddoji Rao discloses that for the workmen, the following suggestion was made :

Qn : We say that while we were engaged in turning the empty bandy towards south you have dragged us inside the ventilation door, what do you say for this ?

Ans : It is not true we did not have that intention, a man cannot come into the ventilation door, even if we drag a person since the door is small.

The two workmen thus themselves suggest that they had gone near that abandoned place. It has not been pointed out from the record that the place near the abandoned ventilation door was their work spot. In the cross-examination of PW-3 Joginder Singh, it has been suggested to him as follows :

Qn : (Since there is the) small ventilation at 100 level, will it be possible to go inside the door for more than one person ?

Ans : More than one person cannot go at one time.

Then there is the following question and answer.

Qn : Between 8 p.m. to 1.30 p.m. the time at which you saw the materials on the pack wall, and afterwards at 6 a.m., the time you were watching the area at the plat have been utilised by you to collect the materials and keep them on the pack wall to prove that you have found the materials. What have you to say ?

Ans : We were not sent for such job and we did not do such job, there is no need for us to do such kind of job. If at all we have collected and kept it, how did you know about it and came to collect it.

These suggestions themselves indicate that the said material was found at the abandoned place. No such suggestions are made to PW-1 and PW-2 that all these four persons of the watch and ward, viz., PW-1 to PW-4 had themselves collected that material and kept it hidden there. After aforesaid questions and answers the witnesses have been questioned as to how they were keeping the watch and in what manner they apprehended these two persons and what was the necessity for shifting of one of them to another place near better ventilation. On going through the cross-examination of Joginder Singh, it is obvious that the case of the two workman that at the relevant time they were pushing the hundies and that they have been unnecessarily caught and harassed when they reached the turn table, has not been substantiated. In the cross-examination of Mohan, recorded on 6-11-86, there are the following questions and answers.

Qn : You had stayed in underground from 8.30 p.m. till 6 a.m., is it not possible for you to collect the materials and keep on the steel set ?

Ans : no, we have not done anything like this.

Qn : Can you tell us, how many can enter the small ventilation door at a time ?

Ans : Only one man can enter the small ventilation door. Before the two workmen had put up the case that the personnel of the watch and ward had themselves collected the materials and kept them at the said place, they had given their explanations as per Exs. M-5 and M-6 on 10-10-1986. There is no such case of the said persons of the watch and ward implenting the materials at that place and involving these two workmen falsely. There is no case in Exs. M-5 and M-6 that when they had come near the turn table, the personnel of the watch and ward had dragged them near the ventilation and had involved them in a false case. In their defence, the two workmen have examined their defence witnesses such as Indrajit, Anthony Prabhakaran and Shashidaran. The two workmen have also given their statements before the Enquiry Officer. The case put forth in their statements and through their witnesses by the workmen is that since there is no store room at the 100th level the mumpies are hidden in certain places whereas the baskets are kept where they are and in order to bring the mumpy for mucking the materials they had gone to the said spot on that day and they have been falsely apprehended by the said persons of the watch and ward. From the cross-examination of Foreman Ravi, it has been illustrated that the mumpies are hidden by the workers at an unknown place and they themselves have to bring them from the hidden places in order to muck up the material. No such case has been put forth in their explanations at Exs. M-5 and M-6. The evidence of PW-5 Ravi, the Foreman has no relevance regarding the finding that these two workmen were at a different place while handling with

the material. Then there is the evidence of Santh Ram, S.D. Havildar No. 265, C. Meganathan, Supervisor Watch and Ward Moses Silovam, Mining Engineer, P. Suddodanan, G.F.O. and Mohammed Mushruiff, Signalman. The said evidence shows about the subsequent events as to how the material and these two workmen were brought to the surface, how the mahazar was drawn up and the material was taken to the laboratory for assay and examination. The evidence of these witnesses has been discussed by the Enquiry Officer in considerable detail. The Enquiry Officer has also examined Shri Dwarakanath, the Chemist of the Central Assay and Chemical office. His evidence shows that two sealed gunny bags containing G.B.Q. were brought to him and they were opened in the presence of a number of these witnesses and some samples were taken and on examination, he gave his report. According to him, the value of the material of the first gunny bag was found to be of Rs. 174.25 P. the value of the outer gunny bag containing some pieces was found to be of Rs. 893.20 P. etc. In the explanations at Exs. M-5 and M-6, the two workmen have admitted that after the Foreman wrote the report near the turn table, they were brought to the surface through the Tennant shaft at about 12.30 p.m. and threat they were searched but nothing was found with them. They have further stated that by then the Manager the Agent, some other security officers were there and in their presence the two gunny bags were brought and in one of the gunny bags, there was another gunny bag and the main two gunny bags were sealed. It has been then stated that a report was written and they were taken to the assay office along with the Foreman and the other officers and in the Assay office some samples were taken and the valuation of the material was made. They have further stated that again the bags were sealed and then they were taken to the Champion Reef police station and handed over to the police. The case of the management that the materials found at the said spot was brought to the surface and then taken to the assay office and then the valuation was made and it was found to be the property of the management, has been verily admitted by the workmen. The material question for the Enquiry Officer was therefore whether to believe the four persons, viz., PW-1 to PW-4 who had actually apprehended the two workmen or not.

19. The Enquiry Officer has set out the evidence of PW-1 to PW-5 on pages 3, 4 and 5 of the report, Ex. M-9. He has then set out the evidence of the aforesaid other witnesses on pages 5 to 9. The statements given by the two workmen and their witnesses have been set out at pages 10 to 14. The discussion of the evidence of both the sides is to be found from pages 14 to 17. The Enquiry Officer has given consistent and cogent reasons for preferring the evidence of the management witnesses to that of the defence witnesses. Merely because there are certain admissions made by PW-5 Ravi, the Foreman that mumpies are kept hidden by the workmen themselves and they bring the same whenever they had to do the work of mucking does not suggest that on that day the two workmen had gone there to bring the mumpies. It is not at all their case when they had the earliest opportunity to give the explanation to the charge-sheet. It is difficult to find fault for the reasoning adopted by the Enquiry Officer.

20. The learned counsel for the I party cited the case of Narayan Mahapatra Vs. General Manager, S.E. Railway (1969 Lab. I.C. Page 896). The authority is on the point that the principle that in punishing the guilty scrupulous care must be taken to see that the innocent are not punished, applies as much to the regular criminal trials as to the disciplinary enquiries under the statutory rules and that mere suspicion should not be allowed to take the place of proof. The facts of the reported case would show that the management had alleged that the had misappropriated a sum of Rs. 68.34 P. in issuing some three tickets to one Neelamani. Paras 5 to 8 of the order have not been reproduced in the report. However it has been stated that his lordship reviewed the evidence and continued to state that there was absolutely no evidence to sustain the charge laid against the petitioner, and in that context the said principle has been enunciated. The facts of the present case show that there is the concrete evidence of as many as four witnesses PW-1 to PW-4 to show that these two workmen had gone there together and the first of them had actually climbed up and handled the material but because the third person cried as detectives, detectives,

he jumped down and both of them tried to run away. It is not a case where there is no evidence at all, as has been observed in the said authority. It is thus manifest that the principle laid down in the authority is not attracted.

20. The learned counsel for the I party then referred to the case of Anil Kumar Vs. Presiding Officer and Others (1986 I LLJ Page 101). The authority states that the disciplinary enquiry is a quasi-judicial enquiry and the Enquiry Officer should give reasons for the conclusions as to why he prefers the evidence of the management to that of the delinquent employee. The evidence of PW-5 Ravi shows at the end that this gang of the two workmen and others had been allocated to work at 100 level main reef south drive, whereas the evidence of PW-1 to PW-4 discloses that these two workmen were actually found at a 100 level auxiliary main winz west reef. There is no explanation from the workmen as to why they were found at a place which was not their allocated place of work. There is no dispute on the point that the place where these materials had been kept is abandoned one and always kept closed with a small door. The Enquiry Officer has discussed the comparative strength of the evidence put forth by either side on pages 15 to 18 of his report Ex. M-9. On going through the evidence placed on record on one hand, and the report of the Enquiry Officer, Ex. M-9 on the other, I find that it is not a case where the Enquiry Officer has based his findings without assigning valid reasons.

21. The learned counsel for the I party then cited the case of Rajinder Kumar Bindra Vs. Delhi Administration (1984) 4 S CC Page 635. The principle laid down in the authorities that the Tribunal or as well as Supreme Court can re-appreciate evidence on the basis of which the employer has passed the order of dismissal. The facts of the reported case would disclose that when the matter came up before the Hon'ble Supreme Court, the employer concerned that there was no evidence to establish the first two charges. The third charge against him was that he had negligently permitted the use of his personal cheque-book in order to defraud the co. etc. The Hon'ble Supreme Court has observed that when a cheque-book is issued to a holder of an account, there is no law which requires him to keep his cheque-book in safe custody. It is further observed that he may keep it in any manner and if in the process, some one misuses the cheque book and withdraws money from the account of the holder, the bank will be able to disown its liability, pleading negligence of the holder of the account. On facts, it was found that misconduct cannot be attributed unless the management proved that the employee had acted in conspiracy for facilitating withdrawal of the amount, by keeping his cheque-book in an unattended place. There was no evidence regarding wilful disobedience in performance of his duties. Under such set of circumstances, it has been enunciated that the Tribunal can re-appreciate the evidence and find out whether there is any evidence to sustain the charges. The workmen were charged for misconduct shown in Clause 15 (b), (15) and 15 (b) 34. Clause 15 (b) 15 deals with the misconduct of unauthorised entry into working places of any prohibited places. 15 (b) 34 deals with the misconduct of witteft or abetment of theft or fraud or dishonesty in connection with the employee's business or property including mining materials as defined in the Mysore Mines Act. The foregoing discussion amply makes out that they were found in a different place, which is not their place of work at all and it is not the case of the I party workman that it was not a prohibited place. The evidence shows that it was an abandoned and closed spot. The evidence on record has thus established the misconduct under clause 15(b) 15. Abetment of theft is also an act of misconduct. Fraud and dishonesty is also misconduct. The facts that both the workmen had gone together and that the first workman had climbed up the steel set up indicate that there was all the intention on their part as shown in Clause 15 (b) 34. In my view, it cannot be said that no reasonable person could have arrived at the findings complained of, on the basis of the material placed on record.

22. Exs. M-10 and M-11 are the second show cause notices given to them. Ex. M-12 and M-13 are the explanations given by them to the same. In their explanations to the second show cause notice also the two workmen have admitted that they had been allocated to work at 100 level main

reef south drive for mucking and traming. They have further stated that they pushed a bondy towards the main reef and then after informing other workmen, they went to bring the rest of the bandies. In para 3 of their explanation they further stated that a bandy, which they were pushing rested on the turn table, they shifted it towards the south, left it there and went to take the mumpies which are usually hidden in a certain place. Then they stated that as they entered the small ventilation door, they saw four men and they forcibly detained them alleging of theft. They have further reproduced some of the admissions made by PW-5 Ravi. There is absolutely no suggestion made to PW-1 Sivachahi, PW-2 Siddoji Rao, PW-3 Joginder Singh PW-4 Mohan that the two workmen had gone there to bring mumpy and at that time they were forcibly caught by them and detained there itself. There is no such case made out in their earliest explanations given by them as per Exs. M-5 and M-6. The disciplinary authority has found that their explanations were not satisfactory. The orders of dismissal at Exs. M-14 and M-15 make it clear that the disciplinary authority did not find any extenuating or mitigating circumstances and thus they have been dismissed from service.

23. Looking at the facts and circumstances of the case, I am of the opinion that it is not a fit case to invoke the provisions of Section 11-A of the I. D. Act.

24. In the result, a common award is passed for both the cases to the effect that the management of the Bharat Gold Mines Ltd. was justified in dismissing from service Shri Sagayaraj Jayaseelan, P. E. No. 162220 and Shri Dominic Xavier, P. E. No. 137598, Ex. general labourers and that they are not entitled to any relief.

B. N. LALGE, Presiding Officer.

[No. L-43012/25/87-D. III(B)]

का. आ. 3406:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बम्बई एतन न्यास, बम्बई के प्रबंधन से सम्बद्ध नियोजकों और उसके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं० 1 बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-10-88 को प्राप्त हुआ था।

S.O. 3406.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Bombay, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bombay Port Trust, Bombay and their workmen, which was received by the Central Government on the 24th October, 1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

Reference No. CGIT-40 of 1987

PARTIES:

Employers in relation to the management of Bombay Port Trust, Bombay.

AND

Their Workmen.

APPEARANCES:

For the Management: Mr. A. N. Kharkhanis, Deputy Chief Law Officer.

For the Workman: Mr. R. A. Shaikh, Advocate.

INDUSTRY: Ports & Docks. STATE: Maharashtra.

Bombay, the 26th day of April, 1988

AWARD

The Central Government in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2-A of Section 10 of the Industrial Disputes Act, has referred the following dispute to this Tribunal for adjudication:—

“Whether the action of the management of Bombay Port Trust in wrongful termination of the services of Shri Abdul Latif Shahabuddin Kazi, Driver-Mechanic, w.e.f. 1-7-84 is justified? If not, to what relief the workman concerned is entitled?”

2. The workman Abdul Latif Shahabuddin Kazi was appointed as a Mazdoor in the Mobile Trail section on 14-9-1949. At the time of his recruitment his age was determined by the medical officer on the basis of the medical examination as 23 years and his date of birth was recorded in his service register as 1-9-1926. Thereafter on 8-12-1983 the workman applied for change of his birth date from 1-7-1926 to 10-9-1922 and produced a school leaving certificate dated 30th April, 1983 in support of his claim. In the school leaving certificate the workman's birth place was shown as Kharepatan, Tal. Kankavli, District-Sindhudurg and his date of birth was mentioned as 10-9-1932. The request of the workman was rejected by the Deputy Chairman of the Port Trust on the ground that if the date of birth shown in the school leaving certificate was accepted it would mean that the workman was only 17 years old when he was an employee. Being aggrieved by this decision the workman preferred an appeal to the chairman of the Bombay Port Trust on 10th July, 1984.

3. During the pendency of the appeal the management of the Port Trust applied to the Tahsildar, Kankavli Taluka for an extract of the Birth and Death Register of Kharepatan village in respect of Abdul Latif Shahabuddin Kazi for the year 1932. The Tahsildar informed the Port Trust authorities vide Exhibit M-1 that there was no entry in the Birth and Death Register of Khorepatan Village for the year 1932 in respect of Abdul Latif Shahabuddin Kazi. In view of this the chairman rejected the appeal on the following grounds, as mentioned in the letter Exhibit M-4 dated 31st December, 1984 addressed to the General Secretary, B.P.T. Employees Union.

(i) The name of the employee as entered in BPT record is Abdul Latif Shahabuddin, whereas it has been shown in the school register and in the school leaving certificate is—A. Latiff Shahabuddin Kazi. There is no means to know whether both are one and the same person.

(ii) The date of birth as entered in the school record is on the basis of verbal statement made by the guardian.

(iii) The place of birth as shown in the school leaving certificate is—Khareratan, Tal. Kankavli. Inquiries made at the office of the Tahsildar, Kankavli reveal that the record does not indicate Abdul Latiff Shahabuddin having been born in 1932 (the proposed year of birth).

(iv) The employee would have proved to be minor, when he was appointed in 1949 had he produced then the school leaving certificate.”

4. The workman challenged the order by filing a writ petition in the High Court. The writ was dismissed in limini on the ground that it involved disputed questions of fact. The appeal preferred by the workman to the Division Bench was dismissed in limini on the ground of delay. Thereafter the workman raised the industrial dispute which is the subject matter of the present reference.

5. It is an admitted position that when the workman was employed in the year 1949 his age was determined by the Chief Medical Officer as 23 years. It is however not correct

to say that the Chief Medical Officer estimated the age only on the basis of medical examination. It will be seen from the original certificate Exhibit M-2, dated 15-9-1949 that the Medical Officer determined the age of the workman on the basis of the workman's appearances as well as on the basis of the workman's own statement. It is true that determination of age, even by a Medical Officer on the basis of mere appearance is bound to be an approximation and much weight cannot be attached to that determination while considering the question of the exact date of birth. But there is no reason why the statement made by the workman to the Medical Officer in respect of his age should be ignored. The workman has admitted in his evidence that he was examined by the Medical Officer and that the entry in his service record about his age was made on the basis of the certificate issued by the Chief Medical Officer. The workman no doubt asserted that the Medical Officer did not ask him his age and that he had not stated to the Medical Officer that his age was 23 years. It is difficult to accept this evidence. It cannot be believed that the Medical Officer would make a false statement in the certificate. The management of the Port Trust also could not have rebutted this evidence which could have been done only by examining the erst while Chief Medical Officer, after a lapse of nearly 40 years.

6. Strong reliance was placed by the workman on the school leaving certificate Exhibit W-2 issued by the Head Master of the Zilla Parishad Urdu School, Karipatan. This certificate shows that A. Latif Shahabuddin Kazi was born on 10th October, 1932. In view of the fact that there was no entry in the Birth Register of Kharepatan village the name as per Port Trust record in the year 1932 in respect of Abdul Latif Shahabuddin or Abdul Latif Shahabuddin Kazi the entry in the School Register could not have been made on the basis of any entry in the birth register of Kharepatan village. The Head Master of the school who was cited as a witness avoided to attend the Tribunal on one pretext or another. It is therefore not proved that the entry about age of the student to whom exhibit-W-2 relates was made on the basis of any authentic information. The Port Trust authorities therefore were justified in refusing to accept the school leaving certificate as prima facie proof of the workman's age.

7. To support his claim that he was born in 1932 the workman has led evidence of one Yusuf Shahabuddin Kazi who claims to be the elder brother of the workman. The service record of Yusuf who is working as a Sub-Inspector with the Manager Telephone Nigam Limited was also produced to show Yusuf's date of birth as recorded by the employer. Yusuf's date of birth is recorded in his service record as 15th July, 1930. As can be seen from the certificate Exhibit-W-4 Yusuf joined the Bombay Telephone on 5-2-1950. His date of birth was entered in the service record on the basis of the school leaving certificate. As stated by Shri Manohar Advivarekar, an attested true copy of Yusuf's school leaving certificate is kept in Yusuf's service record. Yusuf who was examined as a witness also stated that he is the eldest of the five brothers, that he was born in village Kharepatan on 15th July, 1930 and that Abdul Latif Shahabuddin Kazi his younger brother. He was not cross-examined on behalf of the management. But that would not make his evidence true and acceptable. His date of birth cannot be established by his oral evidence. Further his claim that the workman Abdul Latif is his younger brother is falsified by the entries in his school leaving certificate. Shri Advivarekar who was summoned to produce Yusuf's service record and who deposed on the basis of the service record of Shri Yusuf has categorically stated in his cross-examination that the school leaving certificate of Shri Yusuf Kazi showed that Yusuf joined the school on 1-10-1942 and left on 1st April, 1946. It is pertinent to note that Abdul Latif who claims to be Yusuf's younger brother joined the school much earlier i.e. on 1-8-1939 and left it on 1-5-1941. This obviously could not be and in the absence of any plausible explanation of this unusual circumstance, the claim of the brothers that Abdul Latif is younger than Yusuf is prima facie false. The Port Trust authorities were therefore perfectly justified in rejecting the request of the workman to correct his birth date and to retire him on the basis of his birth date as recorded in his service sheet viz.

1-7-1926. The workman therefore is not entitled to any relief. Award accordingly.

M. S. JAMDAR, Presiding Officer.

[No. L-31012/1/87-D.IV(A)|D.III(B)]

V. K. SHARMA, Desk Officer.

नई दिल्ली, 26 अक्टूबर, 1988

का. आ. 3407.—न्यूनतम मजदूरी (केन्द्रीय) नियम, 1950 के नियम 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और दिनांक 12-3-1988 को भारत के राजपत्र, भाग-II, खंड 3, उपखंड (ii) में प्रकाशित दिनांक 4 फरवरी, 1988 को भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 605 के अधिनियम में, केन्द्रीय सरकार मुख्य श्रमायुक्त (केन्द्रीय), नई दिल्ली के कार्यालय में उप मुख्य श्रमायुक्त (केन्द्रीय), नई दिल्ली, श्री जी. एस. अस्नानी को न्यूनतम मजदूरी सलाहकार बोर्ड का सचिव नियुक्त करती है, जिसका गठन भारत सरकार श्रम मंत्रालय की दिनांक 28 मई, 1981 की अधिसूचना संख्या का. 393(अ) के तहत किया गया था।

[संख्या एस.-32023/11/83-डब्ल्यू. सी. (एम. डब्ल्यू.)]

श्रीमती पी. वेंकटाचलम, उप सचिव

New Delhi, the 26th October, 1988

S.O. 3407.—In exercise of the powers conferred by Rule 6 of the Minimum Wages (Central) Rules, 1950 and in supersession of notification of the Government of India in the Ministry of Labour No. S.O. 605 dated the 4th February, 1988 published in the Gazette of India, Part II, Section 3, Sub-section (ii) on 12-3-88 the Central Government hereby appoints Shri G. S. Asnani, Deputy Chief Labour Commissioner (Central), New Delhi, in the Office of the Chief Labour Commissioner (Central), New Delhi to be the Secretary of the Minimum Wages Advisory Board constituted under the notification by the Government of India in the Ministry of Labour No. S.O. 393(E) dated the 28th May, 1981.

[No. S-32023/11/83-WC(MW)]

SMT. P. VENKATACHALAM, Dy. Secy.

नई दिल्ली, 26 अक्टूबर, 1988

का. आ. 3408.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 33 ग की उपधारा, (2) के अधीन दायर किए गए आवेदनपत्र, जिनका उल्लेख इससे उपायुक्त अनुसूची I में किया गया है, श्रम मंत्रालय की दिनांक 26 नवम्बर, 1975 की अधिसूचना संख्या का. आ. 4520 में विनिर्दिष्ट श्रम मंत्रालय, कानपुर के समक्ष लंबित पड़ा है,

और भारत सरकार ने दिनांक जून, 6 1984 की अधिसूचना संख्या का. आ. 2029 और दिनांक 26 जून, 1984 की अधिसूचना संख्या का. आ. 2217 के तहत औद्योगिक विवाद अधिनियम की धारा 7 के अधीन कानपुर

में एक श्रम न्यायालय गठित किया है जिसका क्षेत्राधिकार उत्तर प्रदेश राज्य पर है;

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33-ख की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त आवेदनपत्र के संबंध में कार्यवाई को उक्त श्रम न्यायालय, कानपुर से वापस लेती है और उसे उक्त केन्द्रीय सरकार श्रम न्यायालय, कानपुर को अंतरित करती है तथा उक्त केन्द्रीय सरकार श्रम न्यायालय उन पर उस अवस्था में कार्यवाई करेगा जित पर वे इसे अंतरित करती है तथा कानून के अनुसार उनका निपटान करेगा।

अनुसूची-I

श्रम न्यायालय, कानपुर (श्र. न्या. सं. 2) के पास लंबित पड़े मामले की सूची, जिसे केन्द्रीय सरकार श्रम न्यायालय, कानपुर को अंतरित किया जाता है।

क्रमांक श्रम न्यायालय आवेदन पत्र सं.	विषय
1. एल. सो. ए. सं. 20/83	जगदीश चंद प्रधा वगैरह उत्तर पूर्वी रेलवे, इलाहाबाद नगर

[फा. सं. ए. सं.-11020/1/84-डी प्रॉ (ए)]

New Delhi, the 26th October, 1988

S.O. 3408.—Whereas application filed under sub-section (2) of Section 33-C of the Industrial Disputes Act, 1947 (14 of 1947) mentioned in Schedule I hereto annexed, is pending before the Labour Court, Kanpur, specified in the Notification of the Ministry of Labour S.O. 4520 dated the 26th September, 1975;

AND WHEREAS the Government of India have constituted, vide Notification S.O. No. 2029 dated the 6th June, 1984 and S.O. No. 2212 dated the 26th June, 1984, a Labour Court at Kanpur under section 7 of the Industrial Disputes Act with jurisdiction over the State of Uttar Pradesh;

NOW THEREFORE, in exercise of the powers conferred by sub-section (1) of section 33-B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby withdraws the proceedings in relation to the said application from the said Labour Court, Kanpur and transfers the same to the said Central Government Labour Court, Kanpur and the said Central Government Labour Court, shall proceed with the proceedings from the stage at which it is transferred to it and dispose the same in accordance with the law.

SCHEDULE-I

List of case pending with the Labour Court, Kanpur (L.C.No.2) to be transferred to the Central Government Labour Court, Kanpur.

Serial No.	Labour Court application No.	Subject
1.	LCA No.20/83	Jagdish Chander Pradhan Vs. North Eastern Railways, Izatnagar.

[F. N. S-11020/1/84-D.I(A)]

का. आ. 3409 :—भूतपूर्व श्रम और रोजगार मंत्रालय, भारत सरकार की दिनांक 5 फरवरी, 1963 का अधिसूचना संख्या का. आ. 456 द्वारा गठित श्रम न्यायालय, जिसका मुख्यालय हैदराबाद में है, के कार्यालय में पीठासीन अधिकारी, को रिक्त हुई है;

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में, केन्द्रीय सरकार श्री ए. वी. कोटेश्वर राव को उपरोक्त गठित श्रम न्यायालय का पीठासीन अधिकारी नियुक्त करती है।

[सं. एस.-11020/4/81—डी-I (ए)]

नन्द लाल, अवर सचिव

S.O. 3409.—Whereas a vacancy has occurred in the Office of the Presiding Officer of the Labour Court with headquarters at Hyderabad constituted by the notification of the Government of India in the Late Ministry of Labour and Employment No. S.O. 456 dated the 5th February, 1963;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the

Central Government hereby appoints Shri A. V. Koteswara Rao, as the Presiding Officer of the Labour Court constituted as aforesaid.

[No. S-11020/4/81-D. I(A)]

NAND LAL, Under Secy.

नई दिल्ली, 26 अक्टूबर, 1988

का. आ. 3410 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बनाम मैसर्स ई. सी. लिम. की सौदेपुर सैन्ट्रल वर्कशॉप के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

New Delhi, the 26th October, 1988

S.O. 3410.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government

hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employees in relation to the management of Sodepur Central Workshop of M/s. E. C. Ltd., and their workmen which was received by the Central Government.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 45 of 1986

PARTIES :

Employers in relation to the management of Sodepur Central Workshop of M/s. Eastern Coalfields Limited.

AND

Their Workmen.

PRESENT :

Mr. Justice Sukumar Chakravarty, Presiding Officer.

APPEARANCES :

On behalf of employers.—Mr. R. S. Sharma, Advocate, with Mr. P. D. Mahata, Senior Personnel Officer.

On behalf of Workmen.—Mr. M. M. Saha, Advocate, with Mr. M. A. Kader, Advocate.

STATE : West Bengal.

INDUSTRY : Coal.

AWARD

By Order No. L-19012(72)/85-D. IV(B) dated 6th June, 1986, the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Sodepur Central Workshop of M/s. Eastern Coalfields Limited, Sanctoria, P. O. Dishergarh, Distt. Burdwan in terminating the service of Sh. Ali Hossain, Asstt. Foreman, Motor Garage, with effect from 4-12-1984 is justified? If not, to what relief the workman is entitled?"

2. The case of the Union espousing the cause of the concerned workman is briefly as follows : Ali Hossain, the concerned workman was appointed in 1945 at Bejdih Colliery and thereafter he was transferred to Niamatpur Central Workshop in 1965 and thereafter he was transferred to Sodepur Central Workshop in 1976. The year of birth of the workman was 1927 and the Sodepur Central Workshop issued to the workman concerned identity card containing the year of birth of the workman as 1927. The workman concerned was to retire in 1987 according to the service rules on attaining the age of 60 years. The Management however illegally and wrongfully got the workman concerned retired with effect from 5-12-1984 on the plea that the year of birth of the workman concerned was 1924 as per the B Form Register and not 1927. The Management did not take into consideration the A Form Register maintained in connection with the Coal Mines Provident Fund (C.M.P.F.) Scheme, wherein the different year of birth of the workman was recorded. The workman concerned filed the Title Suit No. 145 of 1985 in the Second Court of Munshif at Asansol and prayed for injunction. The workman concerned however subsequently withdrew the suit as the Management got him retired in December, 1984.

3. The Union took up the cause of the workman concerned for his illegal superannuation and an attempt was made for conciliation. The failure report of the conciliation resulted in the present reference.

4. The Management's contention in the written statement in brief is as follows : It has been admitted by the Management that the workman concerned was first employed in Bejdih Colliery of M/s. Equitable Coal Company Limited in 1945 and that subsequently he was transferred to Niamatpur Central Workshop in 1965 and thereafter, after the nationalisation of the colliery the workman concerned was transferred to Sodepur Central Workshop in 1976. In the B Form Register and the Identity Card Register of the

management, the entries regarding the particulars of the workman concerned were made and the year of birth of the workman concerned was recorded therein as 1-1-1924. The relevant entries in the aforesaid registers were signed by the workman concerned. The particulars of the workman concerned in the B Form Register of the Sodepur Central Workshop were recorded with reference to the Last Pay Certificate brought by the workman concerned from Niamatpur Central Workshop and in the said B Form Register also the year of birth of the workman concerned was recorded as 1924. The entry in the said B Form Register was however subsequently interpolated by inserting 1927 in place of 1924 and then again 1924 was written by penning through 1927. The Identity Card issued to the workman concerned from Sodepur Central Workshop was also manipulated with regard to the year of birth of the workman concerned. The A Form Register in connection with the C.M.P.F. Scheme concerning the workman concerned also contained the manipulated year of birth. The workman concerned who is literate did not raise any objection as to his year of birth as recorded in the B Form Register. The workman concerned was therefore to retire in January, 1984 but because of the mistake committed by some official of the management the workman concerned was allowed to continue in service till he was retired with effect from 5th December, 1984. The Management did not commit any act of illegality in getting the workman concerned retired in 1984.

5. Both the Union and the Management have adduced evidence both oral and documentary. The Union has examined the workman concerned Ali Hossain as WW-1 and has produced the Identity Card Ext. W-1 and the superannuation letter Ext. W-2 given by the Management to the workman concerned. The Management on the other hand has examined MW-1, Gurusaday Roy who is a clerk of the Sodepur Central Workshop since 1956 and who recorded the entry in the B Form Register, Ext. M-3 of Sodepur Central Workshop concerning the workman concerned. The management has also produced the B Form Register, Ext. M-1 of the Niamatpur Central Workshop containing the particulars with regard to the workman concerned and also the Identity Card Register of the Niamatpur Central Workshop containing the entry Ext. M-2 with regard to the workman concerned. The Management has produced also the increment slip Ext. M-4 in support of their contention.

6. It has been admitted by both the workman concerned and the Management that A Form Register in connection with the C.M.P.F. Scheme concerning the workman concerned contains the erroneous date of birth, WW-1 (workman concerned) has stated in his evidence "I admit that year of birth as noted in A Form Register is also not correct". This is why, perhaps the Union did not call for the relevant A Form Register for production before the Tribunal.

7. The workman concerned in his evidence as WW-1 has admitted that save and except his own statement there is nothing more to show that his year of birth is 1927. The Union has produced the Identity Card, Ext. W-1 in addition to the oral evidence of WW-1. Relevant entry in the Identity Card has however been challenged by the Management. It appears that the said Identity Card is the only evidence on the side of the Union to prove that he year of birth of the workman concerned is 1927. The Identity Card, Ext. W-1 which was no doubt issued by the Officer of the Management contains the particulars under the signature of the workman concerned and in the said particulars, the year of birth has been noted as 1927. The evidence of MW-1, Gurusaday Roy shows that the workman concerned was transferred to the Sodepur Central Workshop in 1976 and the particulars of the workman including his year of birth as 1924 were recorded by him in the B Form Register Ext. M-3 and the workman concerned signed the said entry in the B Form Register Ext. M-3. His evidence further shows that the entry in the Ext. M-3 was made by him with reference to the Last Pay Certificate of the workman concerned sent by Niamatpur Central Workshop. His evidence however shows that the said Last Pay Certificate could not be traced in their office. Be that as it may, the entry Ext. M-1 in the B Form Register maintained by the Niamatpur Central Workshop unmistakably shows that the date of birth of the workman concerned was 1-1-1924 as per the said B Form Register. Mention may be made here that the entry Ext. M-1 was signed by the workman concerned in English and the manner of this signature in English shows

that he is a literate man with good hand in English. It further appears from the Identity Card Register of Niamatpur Central Workshop that the entry Ext. M-2 therein concerning the workman concerned mentions his date of birth as 1-1-1924 and the said entry Ext. M-2 was also signed by the workman concerned in English. The entry Ext. M-3 in the B Form Register of the Sodepur Central Workshop concerning the workman concerned with reference to the evidence of MW-1, the author of the said entry shows that MW-1 recorded the year of birth as 1924 in black ink in respect of the workman concerned in 1976 after the transfer of the workman concerned to Sodepur Central Workshop. MW-1, Gurusaday Roy has stated in his evidence with reference to the Ext. M-3 that now he finds the said 1924 written by him in black ink has been penned through and 1924 in red ink has been written by some one below the said penned through figure 1924. His evidence further shows that he finds also in the said entry Ext. M-3 one figure 1927 written in black ink and then penned through, over the figure 1924 written by him in black ink and subsequently penned through by somebody else. It is therefore clear that 1924 recorded by MW-1 as the year of birth of the workman concerned was interpolated by somebody in the office and later on again the said figure 1924 was inserted by writing the same in red ink. The facts and circumstances rather indicate that the interpolation of 1924 in Ext. M-3 by 1927 has got some connection with the year of birth as noted in the Identity Card Ext. W-1 because the said Identity Card contains 1927 as the year of birth of the workman concerned. The management has challenged the propriety of such entry in the Identity Card Ext. M-1 while cross-examining the workman concerned.

8. The Learned Advocate for the Union submitted that the Identity Card Ext. W-1 bears the signature of some responsible officer of the management and accordingly it can be presumed that the said Officer of the management was satisfied with the particulars including the year of birth as recorded in the Identity Card. It has already been mentioned that under the particulars in the Identity Card there lies the signature of the workman concerned and on the photograph of the workman concerned in the said Identity Card there exists one signature of some official with the date of 20-7-1976 above the words "ATTESTED BY", indicating thereby that the official of the management put his signature as a token of attestation of the photograph of the workman concerned and not with regard to the particulars containing the year of birth as mentioned in the Identity Card. It has already been stated that the Identity Card Ext. W-1 which is the only evidence on the side of the union has been effectively challenged by the management by evidence both oral and documentary. Ext. M-1, M-2 and M-3 which bear the admitted signature of the workman concerned have proved the falsity of the year of birth as recorded in the aforesaid Identity Card. The workman concerned could not produce any other evidence in support of his alleged year of birth. He could have brought his near relation or any man of the locality where he was born to give evidence as to his year of birth but the workman concerned did not. The Union also did not take any step to give any other evidence in this respect. It is true that WW-1, the workman concerned has stated in his evidence that his year of birth is 1927 but he is not the competent person to say about his date of birth. This workman (WW-1) has admitted in his evidence that he cannot recollect in which year his marriage took place and his eldest issue was born. Such being the position, his evidence with regard to his year of birth cannot be relied on.

9. The Learned Advocate for the Union has submitted that under the rules prevalent in the colliery, in case of any doubt with regard to year birth of any workman the matter ought to have been referred to the medical board. It appears from the discussion as made above and from the documents as produced by the Management that the Management had no doubt about the year of birth as recorded in the B Form Register and the Identity Card Register. So the question of referring the case of the workman concerned to the medical board does not arise in this case.

10. I have given due consideration to all the materials in the record and the submissions as made by the Learned Advocates on both sides including the written argument given

by the Learned Lawyer for the Management and I find that the year of birth of the workman concerned has been rightly found by the management to be 1927 and the action of the Management in getting the workman concerned retired in 1984 has not been illegal in any way. Rather I find and the management has also admitted that because of the negligent omission and commission of some official of the management, the workman concerned could not be got retired with effect from 1-1-1984 but could be got retired with effect from 5-12-1984. The action of the management however in getting the workman concerned retired in 1984 is not found to be unjustified and accordingly the workman concerned is not entitled to any relief. There is no case before me that the workman concerned has not been given the retirement benefit after his such retirement.

This is my Award.

Dated, Calcutta,

The 21st September, 1988.

SUKUMAR CHAKRAVARTY, Presiding Officer
[No. L-19012/72/85-D-IV.B]

नई दिल्ली, 28 अक्टूबर, 1988

का. आ. 3411 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार वरातीबाती कोलियरी (चुपई खास यूनिट) मैसर्स ई. सी. लि. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-10-88 को प्राप्त हुआ था।

New Delhi, the 28th October, 1988

S.O. 3411.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chapui Khas Unit of Ratibati Colliery of M/s. E.C. Ltd. and their workmen, which was received by the Central Government on the 19-10-1988.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 12 of 1988

PARTIES:

Employers in relation to the management of Chapui Khas Unit of Ratibati Colliery, Eastern Coalfields Limited.

AND

Their Workmen.

PRESENT:

Mr. Justice Sukumar Chakravarty, Presiding Officer.

APPEARANCES:

On behalf of Employers—Mr. R. S. Sharma, Advocate with Mr. S. K. Sanyal, Personnel Manager.

On behalf of Workmen—None.

STATE: West Bengal.

INDUSTRY: Coal.

AWARD

By Order No. L-19012(50)/86-D.IV(B) dated 28th January, 1987, the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of Chapui Khas Unit of Ratibati Colliery, ECL, P.O. Kalipahari, Dist. Burdwan, in stopping the existing benefit of supplying Kerosene Oil to S/Shri A. C. Das and 237 others (Annexure-A) is justified? If not, to what relief the workmen are entitled?"

ANNEXURE 'A'

Sl. No. Name of the workmen

1. Sri A. J. Sen
2. Sri Arjoon Shamar
3. Sri Arun Bourl
4. Sri Amar Bourl
5. Sri Badal Ch. Bir
6. Shri B. N. Chakravarty
7. Shri B. D. Singh
8. Shri B. P. Hazara
9. Shri Bhagu Chamar
10. Shri Bameswar Singh
11. Shri Baijnath Jaiswara
12. Shri C. K. Singh
13. Shri Chattardhari Singh
14. Shri Delu Gorai
15. Shri Dulal Ch. Mukherjee
16. Shri Gopal Ch. Bourl
17. Shri G. P. Chatterjee
18. Shri H. B. Pathak
19. Shri Jogdhari Chamar
20. Shri Jangiram Chamar
21. Shri Jadunandan Gope
22. Shri Janakdeo Pandey
23. Shri K. P. Mukherjee
24. Shri Mongal Shaw
25. Shri Magaram Gandhi
26. Colliery Mess
27. Shri Mohini Chattaraj
28. Shri Manik Ch. Ghosal
29. Shri Maikoo Pashl
30. Shri Majnu Jaiswara
31. Shri Nepal Ch. Bourl
32. Smt. Nilima Sinha
33. Shri Ch. Naresh Jaiswara
34. Shri N. K. Singh
35. Shri Nabagopal Mukherjee
36. Shri Pravakar Dome
37. Shri Pahnai Karmakar
38. Shri Panchanan Gope
39. Shri P. N. Pandey
40. Shri Raghu Singh
41. Shri Fani Bourl
42. Shri Rajdeo Singh
43. Shri Ramdhari Harijan
44. Shri R. D. Singh
45. Shri Rupnath Jaiswara
46. Shri Ramsebak Tewari
47. Shri Ramlakhan Singh
48. Shri R. P. Daw
49. Shri Ramranjan Roy
50. Shri Sudhir Khan
51. Shri Satipada Daw
52. Shri S. K. Arnab
53. Shri Supal Bourl
54. Shri Santosh Banerjee
55. Shri S. K. Chowdhury
56. Shri Saifen Sadhu
57. Shri Shibram Singh
58. Shri Seobilash Gope
59. Shri Sita Muchi
60. Shri Sastipada Chattaraj
61. Shri Samsuddin
62. Shri Sarmanand Mishra
63. Shri Taranl Banerjee
64. Shri Tulshi Singh

Sl. No. Name of the workmen

65. Shri Tribhuban Lal
66. Shri Tulshi Bhandari
67. Shri Umanath Singh
68. Shri Umapada Gope
69. Shri Umadapda Roy
70. Shri Ayydhya Mahato
71. Shri Amoo Gope
72. Shri Achaibar Jaiswara
73. Shri Algoo Jaiswara
74. Shri Badhan Muchi
75. Shri Bhakta Muchi
76. Shri Badri Shaw
77. Shri Banshilal Koiri
78. Shri Bhuneswar Singh
79. Shri Bhupati Bourl
80. Shri Bodhlal Singh
81. Shri Beshlal Singh
82. Shri Budhan Bourl
83. Shri Bachha Singh
84. Shri Bodar Jaiswara
85. Shri Balli Jaiswara
86. Shri Balai Bourl
87. Shri Ch. Bipath Jaiswara
88. Shri Binda Dusadh No. 1
89. Shri Binda Dusadh No. 2
90. Shri Birjoo Jaiswara
91. Shri Baijnath Jaiswara
92. Shri Bivlson Paswan
93. Shri Baria Kurmi
94. Shri Biswanath Tewari
95. Shri Baliram Jaiswara
96. Shri Chhatu Jaiswara
97. Shri Chand Mahato
98. Shri Chunilal Jaiswara
99. Shri Chandradeo Dusadh
100. Shri Deonath Kanoo
101. Shri Dhanu Singh
102. Shri Dukhi Jaiswara
103. Shri Ch. Dugai Bourl
104. Shri Deonath Jaiswara
105. Shri Dasu Bourl
106. Shri Dukhi Jaiswara
107. Shri Deenanath Dusadh
108. Shri Dujai Koiri
109. Shri Dashi Bhuia
110. Shri Deoraj Jaiswara
111. Shri Geda Bourl
112. Shri Gohardhan Keot
113. Shri Gulab Singh
114. Shri Gurucharan Gope
115. Shri Guiram Bourl No. 1
116. Shri Guiram Bourl No. 2
117. Shri Ch. Gour Bourl
118. Shri Ganesh Kahar
119. Shri Giridhari Khatik
120. Shri Hardeo Jaiswara
121. Shri Harimohan Shaw
122. Shri Haricharan Nonia
123. Shri Hari Mahato
124. Shri Hardeo Gope
125. Shri Harilal Jaiswara
126. Shri Hira Tewari
127. Shri Hazara Singh
128. Shri Hema Dome
129. Shri Janki Singh
130. Shri Galai Jaiswara

Sl. No. Name of the workmen

131. Shri Guru Jaiswara
132. Shri Jainarayan Pandey
133. Shri Jagan Koiri
134. Shri Jagdish Bhuiya
135. Shri Gugeswar Shaw
136. Shri Jamuna Dusadh
137. Shri Kali Gope
138. Shri Kartick Muchi No. 1
139. Shri Kartick Muchi No. 2
140. Shri Kaulaswar Mahato
141. Shri Mameswar Gope
142. Shri Khedan Jaiswara
143. Shri Kaulaswar Dusadh
144. Shri Kamoo Pasman
145. Shri Karma Singh
146. Shri Kishun Bhuiya
147. Shri Khayali Hazam
148. Shri Lochmon Singh
149. Shri Lakhu Muchi
150. Shri Mona Bouri
151. Shri B. Munshi Jaiswara
152. Shri Mohan Singh
153. Shri Mathura Mahato
154. Shri Mahabir Singh
155. Shri Manick Ch. Dome
156. Shri Mangroo Bhuiya
157. Shri Mansa Muchi
158. Shri Monohar Bouri
159. Shri Maksudan Tewari
160. Shri Musafir Gope
161. Shri Narayan Mahato
162. Shri Nepal Ch. Bouri
163. Shri Nithuri Jaiswara
164. Shri Noowa Bouri
165. Shri Nandlal Mahato
166. Shri Nepal Ch. Dome
167. Shri Netai Muchi
168. Shri Pravat Sarkar
169. Shri Posha Muchi
170. Shri Pandhanan Dome
171. Shri Pannalal Jaiswara
172. Shri Payara Singh
173. Shri Patla Muchi
174. Shri Parameswar Mahato
175. Shri Pancham Jaiswara
176. Shri Ramauthar Mahato
177. Shri Rameshrey Choubey
178. Shri Ramay Jaiswara
179. Shri Ramsebak Gope
180. Shri Rifoo Jaiswara
181. Shri Rambilash Goswami
182. Shri Ramdas Koiri
183. Shri Ramnandan Bari
184. Shri Ramadhar Tewari
185. Shri Ramsakal Gope No. 1
186. Shri Raghu Bhuiya
187. Shri Rajdeo Khatick
188. Shri Ramoo Jaiswara
189. Shri Rabi Bouri
190. Shri Rampati Dusadh
191. Shri Rambrich Bari
192. Shri Rameshrey Choubey
193. Shri Ramsakal Gope No. 2
194. Shri Ramnath Pashi
195. Shri Ramjatan Gope

Sl. No. Name of the workmen

196. Shri Ramkishun Jaiswara
197. Shri Ramsurath Tewari
198. Shri Ramprasad Bouri
199. Shri Rampratap Mahato
200. Shri Ramsurath Gope
201. Shri Sohan Jaiswara
202. Shri Singha Singh
203. Shri Sona Majhi
204. Shri Sukdeo Koiri
205. Shri No. 1 Shyama Jaiswara
206. Shri Salgo Jaiswara
207. Shri Samar Mahato
208. Shri Seonath Singh
209. Shri Suraj Bali Jaiswara
210. Shri Shib Sankar Shaw
211. Shri Sukhai Muchi
212. Shri No. 2 Sita Jaiswara
213. Shri Sukram Jaiswara
214. Shri Saboo Hari
215. Shri Soal Majhi
216. Shri Sriram Gosai
217. Shri Sohan Harijan
218. Shri Sripath Jaiswara
219. Shri Sundar Jaiswara
220. Shri Srikanto Bouri
221. Shri Shankar Jaiswara
222. Shri Sitaram Shaw
223. Shri Shyama Pada Daw
224. Shri Satyanarayan Gope
225. Shri Sagar Singh
226. Shri Seonarayan Mahato
227. Shri Seudhi Koiri
228. Shri No. Sukhai Jaiswara
229. Shri Shyam Narayan Gope
230. Shri Sidhu Gosai
231. Shri Subelal Gope
232. Shri Sudhu Keot
233. Shri Shankar Bouri
234. Shri No. 2 Shyama Jaiswara
235. Shri Teja Singh.

2. When the case is called out today, R. S. Sharma, Advocate with Mr. S. K. Sanyal, Personnel Manager, appear for the management. Nobody appears on behalf of the Union in spite of the service of notice upon the union by registered post on 7-9-1988 as per Order dated 30-8-1988. It appears from the record that the Union did not also appear on 30-8-1988 although the notice of the Reference was served upon the Union on 8-8-1988.

3. In the circumstances, it appears that the Union and concerned workmen are not interested to proceed with the Reference. Therefore this Tribunal has no other alternative but to pass a 'No Dispute Award' and accordingly I do so.

This is my Award.

Dated, Calcutta.

The 30th September, 1988.

SUKUMAR CHAKRAVARTY, Presiding Officer

[No. I-19012/50/86-D.IV.B]

का. मा. 3412 :—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बनाम मैसर्स ई. सी. लि. की कुमारडीह-ए कोलियरी के प्रबंधन के सम्बन्ध में निम्नलिखित और उनके

कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-10-88 को प्राप्त हुआ था।

S.O. 3412.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kumardih—A Colliery of M/s. Eastern Coalfields Ltd. and their workmen, which was received by the Central Government on the 21-10-1988.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 44 of 1988

PARTIES :

Employers in relation to the management of Kumardih.—A Colliery of M/s. Eastern Coalfields Limited.

AND

Their Workmen

PRESENT:

Mr. Justice Sukumar Chakravarty—Presiding Officer.

APPEARANCES:

On behalf of Employers.—Mr. B. N. Lala, Advocate.

On behalf of the workmen.—Mr. A. K. Das, Advocate.

STATE : West Bengal INDUSTRY : Coal.

AWARD

By Order No. L-19012 (116)/86-D. IV(B) dated 23rd April, 1987, the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

“Whether the demand of the Union that Shri Paban Singh Underground Loader, Kumardih ‘A’ Colliery, P.O. Ukhra, District Burdwan (WB) should be paid full back wages for the period from 29-6-1984 to 28-9-84 is justified ? If so, to what relief the workman concerned is entitled ?”

2. When the case is called out today, Shri B. N. Lala, Advocate appears for the management files a Joint Petition of Compromise and prays for Award in terms of the said Joint Petition of Compromise. Considered the Joint Petition of Compromise as well as the submission of both sides. The terms of the Joint Petition of Compromise appear to be fair, reasonable and in the interest of the parties. I therefore accept the same and pass an ‘Award’ in terms

of the said Joint Petition of Compromise which do form part of this Award as Annexure—‘A’

This is my Award.

Dated, Calcutta,

The 10th October, 1988.

SUKUMAR CHAKRAVARTY, Presiding Officer

[No. L-12012/125/88-D.IV(A)]

R. K. GUPTA, Desk Officer

ANNEXURE—‘A’

BEFORE THE HON’BLE PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL CALCUTTA

In the matter of reference No. 44 of 1988

PARTIES :

(1) Employer in relation to the management of Kumardih ‘A’ colliery of ECL and their Workmen (Sri Paban Singh.)

Joint petition of compromise

Both the parties herein concerned most respectfully submits :—

1. That the above matter is pending adjudication before the hon’ble tribunal and the matter has not yet heard.
2. The schedule in the case is whether the demand of the union that Sri Paban Singh should be paid full back wages for the period from 29-6-84 to 28-9-84 is justified? If not, to what relief the workman concerned is entitled?
3. That the both parties discussed the instant matter mutually and have come to an amicable settlement of the instant matter on the following terms and condition.

TERMS OF SETTLEMENT

1. That the management agreed to pay 50 per cent wages for the idle period from 29-6-84 to 28-9-84.
2. That both the parties agree that this settlement will be effective from the date the award pass by the hon’ble tribunal.
3. That the management agree that the payment as per clause I will be made within one month from the date of the award.
4. That the union agrees that by this settlement the instant matter and any matter arising out of the instant order of reference stands fully and finally settled.
5. Both the parties pray that the Hon’ble tribunal may be pleased to accept the terms of settlement as fair and proper and may be further pleased to pass an award in terms of this settlement.

And for this act of kindness both the parties as in duty bound shall ever pray.

Dated, 1st day of October, 1988.

For & on behalf of the
workman (Sri Paban Singh)

For & on behalf of the Employer.

नई दिल्ली, 26 अक्टूबर, 1988

का. आ. 3413—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ महाराष्ट्र के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, बम्बई के पंचपट को प्रकाशित करता है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

New Delhi, the 26th October, 1988

S.O. 3413.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the Bank of Maharashtra and their workmen, which was received by the Central Government.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

PRESENT :

Sri P. D. Apshankar,

Presiding Officer

PARTIES :

Reference No. CGIT-2/11 of 1988

Employer in relation to the management of bank of Maharashtra.

AND

Their Workmen

For the Employer.—Shri R. M. Nijampurkar, Officer.

For the Workmen.—Shri B. D. Vaidhya, Advocate.

INDUSTRY : Banking STATE : Maharashtra
Bombay, dated the 19th September, 1988

AWARD

The Central Government by their order No. L-12012/319/87-D.II(A) dated 7-3-1988 has referred the following industrial dispute to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 :—

“Whether the action of the management of Bank of Maharashtra in terminating the services of S/Shri Navnath Hiraji Lad and D. S. Jirobe as full-time sub-staff with effect from 11-12-85 and 31-12-85 respectively is justified ? If not, to what relief are the workmen entitled ?”

2. Pending this dispute both the parties came to an amicable settlement, and filed their joint compromise pursis containing the following terms :—

- “1. That Party I agree to absorb Shri Navnath Hiraji Lad, part-time sub-staff, Tarkheda branch as full-time sub-staff in the own turn on the basis of his ranking in the seniority list maintained for Solapur Region and at the branch where clear vacancy of sub-staff will be available after the date of settlement.
2. That Sri D. S. Jirobe, Ex-Sub-staff, Udgir Branch will be taken in employment by Party I as full-time sub-staff at Udgir Branch as and when the post of sub-staff will fall vacant or when a new post is created at that branch only.
3. It is agreed that Shri Jirobe will not be entitled to any pay and allowances or other benefits for the period from the date of termination, till the date of re-employment as full time sub-staff as agreed to in para 2 above.
4. It is further agreed that Shri Lad who at present is working as part-time sub-staff at Tarkheda branch of the Bank and is being paid 1/3 scale wages will not be entitled to any other claim or benefit including any additional pay and allowances over and above what he is and will be receiving till his absorption as full-time sub-staff in terms of clause 1 above.”

This compromise pursis has been signed by the President of the Bank of Maharashtra Employees' Union, of which the said workmen are the members, and also by the Advocate Shri B. W. Vaidya for the workmen, and by the Officer Shri R. M. Nijampurkar, who has been authorised to appear by the Assistant General Manager, Industrial Relations, Bank of Maharashtra, Pune, for the said Bank.

3. I find that the said settlement is quite in the interests of both the said workmen, and as such, I accept it. Hence, the award must be and is drawn accordingly.

[No. L-12012/319/87-D.II(A)]

P. D. APSHANKAR, Presiding Officer

नई दिल्ली 27 अक्टूबर, 1988

का. आ. 3414—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हिन्दुस्तान कामशियल बैंक लिमिटेड (पंजाब नेशनल बैंक) के प्रबंधन के संलग्न नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

New Delhi, the 27th October, 1988

S.O. 3414.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government

hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Hindustan Commercial Bank (PNB) and their workmen, which was received by the Central Government.

ANNEXURE

BEFORE SHRI ARJAN DEV PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 78 of 1986

In the matter of dispute between :

The General Secretary, All India Hindustan Commercial Bank Employees Congress, 8/75 Arya Nagar, Kanpur.

AND

The Assistant General Manager, Hindustan Commercial Bank Limited, Head Office Birhana Road, Kanpur.

AWARD

1. The Central Government, Ministry of Labour vide its notification no. L-12012/125/85-D.IV(A) dated 17th May, 1986, has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of Hindustan Commercial Bank Limited, in denying promotion to Shri R. C. Shukla, Dafftri to the post of Clerk-cum-Cashier or Cashier-cum-Godown Keeper w.e.f. November, 1984 is legal and justified? If not, to what relief is the workman entitled?

2. The industrial dispute on behalf of Shri R. C. Shukla, workman has been raised by All India Hindustan Commercial Bank Employees Congress (hereinafter, referred to as employees congress for the sake of convenience). The case set up by the employees congress is that the workman came to be posted as Dafftri at Banks Regional Manager's Office, Kanpur Region in November 1981, and since then he has been performing the duties of clerk/cashier to the entire satisfaction of the Bank Management. Being the senior most in the state of U.P. he was eligible for his promotion as Cashier/Godown Keeper of Clerk/Godown Keeper vide Hindustan Commercial Bank (hereinafter referred to as H.C.B. for the sake of convenience), circular no. 64 dated 5-7-82 copy annexure I (Ext. W-1). Despite his being senior most, in contravention of the policy laid down in the aforesaid circular he was denied promotion in the years 1983, 1984 and 1985 by the management of the H.C.B. and the vacancies at Regional Manager Office Kanpur and in other branches under its control were filled up by giving promotion to those who are junior to the workman.

3. By means of letter dated 21-11-84, copy annexure-3 (Ext. W-4) the Manager, H.C.B., AGM Office, Kanpur informed the workman that in terms of personnel letter dated 13-4-84, he had been debarred permanently for promotion as cashier-cum-godown keeper in the light of the circular no. 44 dated 16-8-84, copy annexure IV, (Ext. W-4).

4. The Employees Congress alleges that the promotion policy as contained in the aforesaid circular no. 64 dated 5-7-82, no where provides to debar permanently a member of sub-staff eligible for promotion to the post of clerk/cashier or cashier/godown keeper. The policy laid down in circular no. 44 dated 16-8-84 by H.C.B. cannot be given into effect as it amounts to change in the service condition without issue of any notice. The said circular is therefore, illegal. Moreover, by denying so the management has violated the provisions of Article 14 and 16 of the Constitution of India.

5. The Employees congress has therefore, prayed that the management's action in denying promotion to the workman as clerk/cashier or cashier/godown keeper be declared illegal and that he be granted promotion as clerk/cashier or cashier/godown keeper w.e.f. November, 1981.

6. The written statement in this case has been filed by the Punjab National Bank in which H.C.B. has merged. The management admits that the workman came to be

posted in November 1981 as Dafftri at H.G.B. Office in Kanpur Region at Regional Office. But the management denies that since his posting in the said office he has been performing the duties of clerk/cashier. The management pleads that the workman was offered promotion by the erstwhile H.C.B. in March, 1983 and in September, 1984 but on both the occasions the workman did not accept the promotion and failed to report on the place of his promotion/posting. As such he cannot have any grievance on the ground that he had been denied promotion. The management further pleads that since the PNB has taken the erstwhile H.C.B. the service condition as are applicable to the employees of PNB are applicable also to the case of the present workman. As per settlement dated 1-7-83, entered into between PNB, the promotion once offered and refused, the employee can be debarred by the management for one year from the date of refusal. Subsequently offer for promotion can be made to him only after the expiry of the period of one year. Under the above settlement, the management of PNB is willing to consider the case of the promotion of the workman provided that he fulfills the criteria as laid down in the said settlement. After the merger of the erstwhile H.C.B. with the PNB as earlier stated the workman is governed by service conditions as are applicable in the PNB as he himself accepted the said conditions as per his option letter given to the PNB at the time of amalgamation. There has been no violation of Article 14 and 16 of the Constitution of India. No employee of the Bank has an inherent right to choose the place of working while working in the Bank. Further even under the various awards governing the service conditions between the employees and the management it is provided that the management is free to lay down promotion policy. Circular no. 44 dated 16-8-84 is based on Administrative discretion of the erstwhile bank. It contains a sound policy of administration. The bank cannot keep its vacancy vacant and wait for the employee concerned to choose his place of posting. If it were so it will amount to holding the management to ransom which under no circumstance can be considered as justified. The order debarring the workman permanently is a valid order. Lastly the management pleads that as earlier stated the management will consider the workman for promotion as per rules of promotion applicable in PNB.

7. In the rejoinder the employees congress has contended that there is no force in the management's plea about the applicability of settlement dated 1-7-83, to the present workman. Moreover, it cannot be given retrospective effect. The other facts alleged by the employees congress is nothing but merely a reiteration of the facts alleged by them in its claim statement.

8. In support of its case, the management has filed the affidavit of Shri P. V. Joshi, Assistant Manager (P) and in support of his case the workman has filed his own affidavit. Both the sides have also relied upon a number of documents filed by them.

9. It is admitted to both the sides that the workman came to be posted as dafftri at H.C.B. Regional Manager Office, Kanpur Region in November, 1981. In para 5 of the claim statement it has been alleged by the Employees Congress that since his posting in the said office, the workman has been performing the duties of clerk/cashier which fact has been denied by the management of PNB. Since it is outside of the perview of the present reference and as such it cannot be consider in the present case.

10. Ext. W-1 is the copy of extract from circular no 64 dated 5-7-82, of H.C.B.. It relates to promotion of sub staff to non sub cadre. The relevant paragraphs are paras 4.1, 4.2 and 4.3. It lays down that for promotion to cashier and clerk category from the sub-staff, a member of the sub staff should have at least put in 4 years of service from the date of his appointment on probation and further he should be a matriculate. It further lays down that promotion to the category of cashier-cum-godown keeper or that of clerk-cum-cashier will be subject to there being vacancy in that category. Lastly it lays down that the names of the sub-staff eligible for promotion shall be inlisted separately in order of State-wise seniority and promotion made accordingly.

11. Ext. W-2, is the copy of extract of circular No. 48 dated 1st September, 1984 issued by HCB declaring the

seniority list of sub-staff eligible for promotion and approved to work as cashier-cum-godown keeper in leave vacancy in the state of U.P. as on 31st August, 1984. The name of the present workman appears at the top. The defence case is that the workman was offered promotion in March 1982 and September, 1984, but both the times he refused to proceed on promotion. In para 4 of his affidavit, the management witness has deposed that in terms of circular No. 64 dated 5th July, 1982, of the erstwhile HCB, the workman was given offer as clerk/godown keeper vide letter dated 18th March, 1982, copy Ext. M-1. Similarly he was given offer to cashier/godown keeper vide letter dated 28th September, 1984, by the erstwhile HCB for branch office Dhampur, making it clear that in the event of the refusal he would disqualify himself for promotion in terms of cir. No. 44 dated 18th August, 1984 but the workman vide his letter dated 28th September, 1984, copy ext. M-4, again showed his inability to join at Branch Office Dhampur.

12. Ext. M-1 is the letter dated 25th March, 1982 from the workman to the General Manager (P) HCB Head Office, Kanpur. The letter shows that the workman expressed his inability to join at Sambal on promotion on account of illness of his wife and desired that he should be posted in some branch of HCB in Kanpur Nagar.

13. Ext. M-2, is the copy of letter dated 28th September, 1984, by means of which the workman was again offered promotion and was directed to join at B.O. Dhampur.

14. Ext. M-4 is the copy of letter dated 28th September, 1984, from the workman to the Personnel Department of HCB, again expressing his inability to join the place of his posting on promotion on the ground of illness of his wife.

15. Now let us see that he has said in his cross-examination. In para 2 of his statement in cross-examination he has admitted his two letters copies of which are Ext. M-2 and Ext. M-4. He admits that at the time of his first offer of promotion he made a request that he should be posted in any of the branches of HCB at Kanpur but the management did not agree to it. He also admits that when the second offer of promotion was made to him he refused to go to the place of his posting on promotion. It follows, therefore, that both the times he refused the offer of promotion and his requests for posting him at Kanpur on promotion were not conceded, by the management.

16. Ext. W-4 is the copy of circular No. 44 dated 16th August, 1984 issued by the HCB. It provides that in case of promotion of sub-staff to non sub-category eligible/approved person, shall be given two chances of promotion subject to there being a vacancy. In case an employee refuses these two chances of promotions he shall disqualify himself for promotion. It was in the light of this circular that the Manager of HCB AGM Office, Kanpur, by means of his letter dated 21st November, 1984 copy Ext. W-3, informed the workman that he had been debarred for promotion permanently in terms of the aforesaid circular letter.

17. Shri J. C. Dhawan, the authorised representative for the workman has challenged the validity of circular No. 44, dated 16th August, 1984 of HCB. He submits that circular No. 64 dated 5th July, 1982, copy Ext. W-1 nowhere provides that in case of refusal by the eligible member of sub-staff twice, he would not be considered for promotion in future. If at all the condition for promotion as laid down in circular No. 64 dated 5th July, 1982, was to be changed the management of the HCB should have followed the procedure laid down in sec. 9-A I.D. Act. Section 9-A lays down that no employer who proposes to effect any change in the conditions of service applicable to any workman in respect of any matter specified in the fourth schedule, shall effect such change without giving the workman likely to be affected by such change a notice in the prescribed manner or within twenty one days of giving such notice. It further provides that no notice will be required if the change is effected in pursuance of any settlement or award.

18. Shri Dhawan has further relied on the Division Bench Ruling in the case of Thirunaryanan (N) V Director of Dairy Research and others 1968 1 LLJ 798 (Mysore). It was

a case where an Upper Division Clerk in the National Dairy Research Institute Bangalore was offered a higher post of an Accountant at Karnal which he declined. Again he was offered the post of Head Clerk, at Calcutta, but this time also he declined the offer. Thereupon the Director, passed an order that he would not be considered for promotion to any higher post for two years. It was held that the UDC was not ready to accept the promotional posts offered to him in May 1963 and in May 1964, on the ground of distance. But his refusal cannot justify prescription for further promotions, however short his periods may be since in that situation the element of any qualification or disobedience is excluded by the option. If the clerk did not accept the promotion offered, he denied to himself the benefits available to him of the higher post.

19. In the present case, we are dealing with Banking Industry, the terms and conditions of which are governed by various awards and Bipartite Settlements. It is, however, true that in the absence of any term in any such Settlement the workman could not have been debarred permanently from promotion as was done in this case by erstwhile HCB on the basis of circular No. 44 dated 16th August, 1984.

20. The question which now remains for consideration is as to what relief should be granted to the workman. In my view he should be offered the first available vacancy by PNB in which the erstwhile HCB has merged, after the publication of the Award. It will be in the interest of the workman also to prepare himself mentally for joining the promotional post at the place outside Kanpur, if the Management decides to post him outside Kanpur on promotion.

21. There is no dispute about the fact that under notification dated 18th December, 1986 issued under section 45(7) of the Banking Regulation Act, 1949, the erstwhile HCB has merged with PNB. Since HCB now no longer exists, the service conditions as applicable to the award staff of PNB shall also apply to the workman.

22. Held that the action of HCB in withholding promotion to the post of clerk-cum-cashier or cashier-cum-godown keeper permanently of the workman in the light of circular No. 44 dated 16th August, 1984, is illegal and unjustified. Since the erstwhile HCB has merged in the PNB, the management of Punjab National Bank is directed to offer the first available vacancy on promotion to the post of clerk-cum-cashier or cashier-cum-godown keeper in the Region/State to Shri R. C. Shukla, workman after it received the copy of award on publication from the Ministry of Labour. In case of his refusal, he shall be governed by the terms and conditions of service as are applicable to the Award staff in the Punjab National Bank.

23. Reference is answered accordingly.

ARJAN DEV, Presiding Officer
[No. L-12012/125/88-D.IV(A)]

नई दिल्ली 28 अक्टूबर, 1988

का. धा. 3415—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडीकेट बैंक के प्रबन्धसूत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 बम्बई के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को प्राप्त हुआ था।

New Delhi, the 28th October, 1988

S.O. —In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1.

Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the Syndicate Bank and their workmen, which was received by the Central Government.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY
PRESENT :

Mr. Justice M. S. Jamdar, Presiding Officer.

Reference No. CGIT-16 of 1988

PARTIES :

Employers in relation to the management of Syndicate Bank.

AND

Their workmen.

APPEARANCES :

For the Management.—Mr. B. R. Pai, Deputy Personnel Manager.

For the Workmen.—Mr. N. A. Prabhu, Vice-President of the Staff Association.

INDUSTRY : Banking STATE : Maharashtra
Bombay, dated the 21st day of September, 1988

AWARD

The Central Government, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, has referred the following dispute to this Tribunal for adjudication :—

“Whether the gross wages on which festival advance is granted to the Award staff of the Syndicate Bank workmen should include the amount of City Compensatory Allowance also, on the analogy of payment of bonus and overtime and for recovery of E.P. Fund? If so, to what relief the workmen of the Syndicate Bank are entitled to?”

2. It is an admitted position that presently the quantum of festival advance is restricted to Basic Pay, Dearness Allowance and Special Allowance. It is also true that the Bank issued a circular in that behalf on 6-4-1983. But the decision contained in the circular was not an unilateral decision of the Bank, in response to the charter of demands submitted by the Syndicate Bank Staff Association (Regd.) (hereinafter referred as Association) in 1982 for inter alia increasing the quantum of festival allowance which the Bank had restricted to Rs. 500. The decision was taken in a joint meeting held on 6th April, 1983 between the representative of the management and representatives of the union, the minutes of which are produced at Annexure-C to the written statement of the management. On the question of festival advance the following decision was taken by agreement between the parties :—

“Festival Advance.

It was agreed between the parties that the Festival Advance will be raised from the present amount to one month's gross salary for all workmen with effect from 1-1-1983 repayable in 10 equal monthly instalments. Gross salary for this purpose means the aggregate of Basic Pay, D.A. and Special Allowance (but excluding Special Allowance and locum tenens, officiating allowance, if any). It was also agreed to grant Festival Advance to all the permanent part time employees to the extent of one month's wages repayable in 10 equal monthly instalments.”

3. It is not disputed that the aforesaid agreement is still in force and it is not sought to be terminated. In view of sub-section (1) of section 18 of the Industrial Disputes Act, the agreement is binding on the Association, which is a party to the settlement arrived at by agreement between the management and the Association. According to the Association the claim flows from the true interpretation of the agreement itself.

4. It is contended on behalf of the Association that gross salary includes city compensatory allowance and hence it must be taken into consideration for the purpose of computing the Festival Advance. In support of this contention reliance is placed on the decision of the Supreme Court in the case between Krishnamurthy(s) and Central Government Labour Court and another (1986 Labour Law Notes—Vol. I—page 710) in which it was held that the amount of City Compensatory Allowance paid to the employees is salary or wages within the meaning of S. 2(21) of the Payment of Bonus Act. There is no quarrel with the proposition that ordinarily gross salary includes City Compensatory Allowance. But in the agreement in question the parties have agreed to take into consideration only the basic pay, dearness allowance and special allowance for computing the festival advance payable as per the agreement, thus giving restricted meaning to the term “gross salary” for the purpose of the agreement, which is the basis of the claim. The fact therefore that gross salary ordinarily includes city compensatory allowance has no relevance while interpreting the terms of the agreement.

5. The contention that ‘basic pay’ includes City Compensatory Allowance, needs mention only to be rejected. It may be that ‘City Compensatory Allowance’ became payable to the workmen in Area I after separate wages-scales for different areas were abolished and a uniform wagescale for all areas was prescribed by the Second Binartite Settlement. But that would not make the City Compensatory Allowance part of basic pay. It was sought to be urged that the City Compensatory Allowance was introduced to compensate the employees in Area I for loss of Basic Pay in view of introduction of an uniform wage scale for all areas and hence it must be considered as part of Basic Pay. This submission deserves to be rejected. Firstly because, a comparison of the

original wage scale of Area I employees and the uniform wage scale fixed by the Second Bipartite Settlement will show that there was no reduction in Basic Pay payable to the workmen of Area I under the new scale. The City Compensatory Allowance was not introduced for loss of basic pay but to compensate for higher cost of living in the cities. Secondly even assuming that the purpose was to compensate for loss in Basic Pay that again would not make it a part of the Basic Pay.

6. Para 11 of the Second Bipartite Settlement deals with City Compensatory Allowance, which became payable to workmen in Area I with effect from 1st January, 1970. Sub-para (b) of para 11 lays down the purposes for which C.C.A. is to be taken into consideration. It reads as follows :—

“(b) (i) For workmen who were in service in Area I as on 31st December, 1969 and entitled to receive C.C.A., the C.C.A. shall rank for calculation of overtime, bonus and provident fund as under :—

100 per cent for overtime;

100 per cent for bonus; and

50 per cent subject to a maximum of Rs. 30 per month for provident fund contributions.

(ii) For workmen who joined service in Area I between 1-1-1970 and 31-7-1970 (both days inclusive) the C.C.A. shall rank 100 per cent for calculation of overtime and bonus only.”

7. According to the Association the C.C.A. should rank for calculation of Festival Advance also on the basis adopted for bonus and overtime. This claim cannot be accepted, firstly because the Bipartite settlement is silent on this question. As a matter of fact none of the relevant Bipartite Settlement deals with the question of Festival Advance. Secondly considerations that are relevant for taking into consideration C.C.A. while computing bonus, overtime and provident fund are different from considerations that are relevant in case of festival advance. Thirdly there is a valid rationale behind restricting the festival advance to basic pay, dearness allowance and special allowance. The rationale is that festival advance should be paid to workmen of all areas on uniform basis. If C.C.A. is taken into consideration while computing festival advance, then workmen in Area I will get more festival advance than their counterparts in the mofussils. After all, festival advance is a loan and hence it is desirable that the basis of giving it should be uniform.

8. I therefore held that the gross wages on which festival advance is granted to the Award Staff of the Syndicate Bank workmen cannot and should not include the amount of City Compensatory Allowance also, on the analogy of payment of bonus and overtime and for recovery of E.P. Fund. Consequently the workmen are not entitled to any relief in this behalf. Award accordingly.

M. S. JAMDAR, Presiding Officer
[No. L-12011/22/86-D.II(A)]

का. आ. 3416—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लक्ष्मी कमर्शियल बैंक लि. के प्रबन्धतंत्र के संबद्ध नियोक्ताओं और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को प्राप्त हुआ था।

S.O. 3416.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Lakshmi Commercial Bank Ltd., and their workmen, which was received by the Central Government.

BEFORE SRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR..

Industrial Dispute No. 65 of 1986

IN THE MATTER OF DISPUTE BETWEEN :

The Secretary,
U. P. Bank Employees Union,
C/o Shri Bhola Nath Aggarwal,
306, Damanpuri,
Bareilly.

Petitioner

AND

Deputy General Manager (Personnel),
Lakshmi Commercial Bank (Now Canara Bank).
Kamal Cinema Building,
Nauroji Nagar,
New Delhi.

New Delhi.

Opp. Party/s

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-12012(7)/85-D.IV(A) dt. 17-3-86, has referred the following dispute for adjudication to this Tribunal:

“Whether the action of the management of M/s. Lakshmi Commercial Bank Ltd. in not paying the full wages as per Bank's pay scales from 23-3-82 to 21-12-1982 to Shri Rishikant Aggarwal pass book writer in Shyam Ganj Branch, Bareilly and terminating his services w.e.f. 21-12-1982 is justified? If not, to what relief is the workman concerned entitled?”

2. In the instant case the workman application dt. 22-4-87, for production of documents was heard on 16-9-87 and the management was directed to permit the workman to inspect the documents, reference of which was made in the workman's application dt. 22-4-87 and the case was ordered to come up on 21-10-87 for further orders.

3. On 21-10-87, Management brought the records. Workman moved application for joint inspection, upon Shri Sardar Amreek Singh, Authorised representative for the management submitted before the Tribunal in presence of Shri V. N Sekhari, that he may inspect the record. Upon that Shri Sekhari, Auth. Rep. for the workman expressed his inability on the ground that the concerned workman is not present. Request of the authorised representative of the workman was allowed and 23-11-87 was fixed in the case. It was also made clear that no further time shall be allowed.

4. On 23-11-87 Sri Amreek Singh, Auth. Rep. for the management submitted that the records which were to be inspected by Shri Sekhari are in the bank at Kanpur. On this it was ordered that joint inspection report be filed by 22-12-87 and no further time will be allowed. On 22-12-87, the case was adjourned on the application of the workman and 14-1-88 was fixed for filing joint inspection report. On 14-1-1988 again joint inspection report was not filed and on the oral request of the parties representative 4-2-88 was fixed for filing joint inspection report.

5. Again on 4-2-88 joint inspection report not filed. It was ordered that joint inspection shall be done at Bareilly Branch of the Bank as Shri Sekhari submitted that he was not in position to recognise the signature and handwriting of the workman. As such the case was ordered to come up on 9-3-88.

6. After 9-3-88, the case was adjourned to several dates on one pretext or the other of the parties, upto 30-5-88 and on 30-5-88 the case was ordered to come up on 6-7-88 for filing of joint inspection report.

7. On 6-7-88, Shri Sekhari withdraw his authority vide his application dt. 6-7-88 which was allowed. It was ordered that the notice to the secretary U. P. Bank Employees Congress Union be send fixed 9-8-88 for orders. On 9-8-88, the case was again adjourned to 30-8-88. On 30-8-88 the case was again fixed for 29-9-88 as information of date i.e. 30-8-88 could not be send to the workman.

8. On 29-9-88, from the personal of the seconds. it appears that the notice for the date 29-9-88 for affidavit-evidence was sent by the office by registered post to Shri Rishi Kant Aggarwal, Secretary, U. P. Bank Employees Union C/o. Shri Bhola Nath Aggarwal, 306, Bamanpur, Bareilly. But despite that none appeared on 29-9-88, from the side of the workman.

9. As such from the overall circumstances of the case it appears that the workman is not interested to prosecute the case any more. Shri Amreek Singh, Auth. Rep. for the management was present on 29-9-88.

10. A no claim award is given in the instant case.

ARJAN DEV, Presiding Officer

[No. L- 12012/7/85-D.IV(A)]

N. K. VARMA, Desk Officer

नई दिल्ली 27 अक्टूबर, 1988

का. आ. 3417—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 39 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए और भारत सरकार के श्रम मंत्रालय के दिनांक 3-3-87 की अधिसूचना सं. 728 का अधिक्रमण करने हुए लेकिन ऐसे अधिक्रमण से पहले किए गए या छोड़े गए कार्यों के सिवाय केन्द्रीय सरकार निदेश देती है कि उक्त अधिनियम की धारा 34 की उपधारा (1) के अधीन इसके द्वारा प्रयोग की जा सकने वाली शक्ति उक्त अधिनियम की धाराओं 26, 27, 28 और 29 के अधीन दंडनीय अपराधों के संबंध में इसमें उपावृद्ध सारणी के स्तम्भ 2 में उल्लिखित अधिकारियों द्वारा भी उक्त सारणी के स्तम्भ 3 में तत्प्राप्ति प्रविष्टि में विनिर्दिष्ट क्षेत्र में प्रयोग की जा सकेगी।

सारणी

क्रम सं. अधिकारियों का पदनाम क्षेत्रीय अधिकारिता

1	2	3
1.	1. मुख्य श्रमायुक्त (केन्द्रीय)	मुख्यालय
2.	2. श्रम प्रवर्तन अधिकारी, नई दिल्ली-1	सम्पूर्ण भारत
2.	2. श्रम प्रवर्तन अधिकारी, नई दिल्ली-2	
3.	3. श्रम प्रवर्तन अधिकारी, नई दिल्ली-3	
2.	2. क्षेत्रीय श्रमायुक्त (केन्द्रीय)	अजमेर, कार्यालय
1.	1. श्रम प्रवर्तन अधिकारी (के.) अजमेर-1	
2.	2. श्रम प्रवर्तन अधिकारी (के.) अजमेर-2	
3.	3. श्रम प्रवर्तन अधिकारी (के.) अजमेर-3	
4.	4. श्रम प्रवर्तन अधिकारी (के.) अजमेर-4	
5.	5. श्रम प्रवर्तन अधिकारी (के.) भीलवाड़ा	
6.	6. श्रम प्रवर्तन अधिकारी (के.) सम्पूर्ण राजस्थान राज्य जोधपुर	
7.	7. श्रम प्रवर्तन अधिकारी (के.) कोटा	
8.	8. श्रम प्रवर्तन अधिकारी (के.) जयपुर	

1	2	3	1	2	3
9. श्रम प्रवर्तन अधिकारी (के.) बीकानेर			5. क्षेत्रीय श्रमायुक्त (केन्द्रीय) भुवनेश्वर कार्यालय		
10. श्रम प्रवर्तन अधिकारी (के.) उदयपुर			1. श्रम प्रवर्तन अधिकारी (के.) भुवनेश्वर-1		
11. श्रम प्रवर्तन अधिकारी (के.) सवाईमाधोपुर			2. श्रम प्रवर्तन अधिकारी (के.) भुवनेश्वर-2		सम्पूर्ण उड़ीसा राज्य एवं
3. क्षेत्रीय श्रमायुक्त (केन्द्रीय) आसनसोल कार्यालय			3. श्रम प्रवर्तन अधिकारी (के.) भुवनेश्वर-3		विहार का सिंहभूम जिला
1. श्रम प्रवर्तन अधिकारी (के.) आसनसोल-1			4. श्रम प्रवर्तन अधिकारी (के.) तितिलगढ़		
2. श्रम प्रवर्तन अधिकारी (के.) आसनसोल-2	पश्चिम बंगाल राज्य में बुर्दवान वीरभूमि, बंकुरा		5. श्रम प्रवर्तन अधिकारी (के.) बारबिल		
3. श्रम प्रवर्तन अधिकारी (के.) आसनसोल-3	और पुरुलिया जिले		6. श्रम प्रवर्तन अधिकारी (के.) राउरकेला		
4. श्रम प्रवर्तन अधिकारी (के.) आसनसोल-4			7. श्रम प्रवर्तन अधिकारी (के.) पारादीप		
5. श्रम प्रवर्तन अधिकारी (के.) निआसनपुर			6. क्षेत्रीय श्रमायुक्त (केन्द्रीय) बम्बई कार्यालय:		
6. श्रम प्रवर्तन अधिकारी (के.) उखरा			1. श्रम प्रवर्तन अधिकारी (के०) बम्बई-1		
7. श्रम प्रवर्तन अधिकारी (के.) रातीगंज			2. श्रम प्रवर्तन अधिकारी (के०) बम्बई-2		
8. श्रम प्रवर्तन अधिकारी (के.) बकुरा			3. श्रम प्रवर्तन अधिकारी (के०) बम्बई-3		
4. क्षेत्रीय श्रमायुक्त (केन्द्रीय) बंगलौर कार्यालय			4. श्रम प्रवर्तन अधिकारी (के०) बम्बई-4		सम्पूर्ण महाराष्ट्र और
1. श्रम प्रवर्तन अधिकारी (के.) बंगलौर-1			5. श्रम प्रवर्तन अधिकारी (के०) बम्बई-5		राज्य और दमन और
2. श्रम प्रवर्तन अधिकारी (के.) बंगलौर-2			6. श्रम प्रवर्तन अधिकारी (के०) बम्बई-6		दीव का संघ राज्य क्षेत्र
3. श्रम प्रवर्तन अधिकारी (के.) बंगलौर-3			7. श्रम प्रवर्तन अधिकारी (के०) बम्बई-7		
4. श्रम प्रवर्तन अधिकारी (के.) मंगलौर			8. श्रम प्रवर्तन अधिकारी (के०) बम्बई-8		
5. श्रम प्रवर्तन अधिकारी (के.) चित्रदुर्गा सम्पूर्ण कर्नाटक राज्य			9. श्रम प्रवर्तन अधिकारी (के०) पूणे		
6. श्रम प्रवर्तन अधिकारी (के.) गुलबर्गा			10. श्रम प्रवर्तन अधिकारी (के०) भुसावळ		
7. श्रम प्रवर्तन अधिकारी (के.) के. जी. एफ.			11. श्रम प्रवर्तन अधिकारी (के०) नागपुर		
8. श्रम प्रवर्तन अधिकारी (के.) हवेली			12. श्रम प्रवर्तन अधिकारी (के०) चन्द्रपुर		
9. श्रम प्रवर्तन अधिकारी (के.) बेल्लरी			13. श्रम प्रवर्तन अधिकारी (के०) पोण्डा		
10. श्रम प्रवर्तन अधिकारी (के.) कुदामुख			14. श्रम प्रवर्तन अधिकारी (के०) वास्कोडिगांमा		
			15. श्रम प्रवर्तन अधिकारी (के०) सांगली		

1	2	3	1	2	3
16. श्रम प्रवर्तन अधिकारी (के०) नासिक	सम्पूर्ण महाराष्ट्र और गोवा राज्य और दमन		8. श्रम प्रवर्तन अधिकारी (के०) शिमला		
17. श्रम प्रवर्तन अधिकारी (के०) गोंयापुर	और दीव का संघ राज्य क्षेत्र।		9. श्रम प्रवर्तन अधिकारी (के०) फरीदाबाद		
7. क्षेत्रीय श्रमायुक्त (केन्द्रीय) कलकत्ता कार्यालय			9. क्षेत्रीय श्रमायुक्त (केन्द्रीय) कार्यालय धनबाद		
1. श्रम प्रवर्तन अधिकारी (के०) कलकत्ता-1			1. श्रम प्रवर्तन अधिकारी (के०) धनबाद-1	सम्पूर्ण बिहार राज्य (सिंह भूम जिले को छोड़ कर)	
2. श्रम प्रवर्तन अधिकारी (के०) कलकत्ता-2	सम्पूर्ण पश्चिम बंगाल राज्य (बर्द्धमान वीर भूम, बूकरा और और पुरुलिया जिलों को छोड़कर)		2. श्रम प्रवर्तन अधिकारी (के०) धनबाद-2		
3. श्रम प्रवर्तन अधिकारी (के०) कलकत्ता-3			3. श्रम प्रवर्तन अधिकारी (के०) धनबाद-3		
4. श्रम प्रवर्तन अधिकारी (के०) कलकत्ता-4			4. श्रम प्रवर्तन अधिकारी (के०) धनबाद-4		
5. श्रम प्रवर्तन अधिकारी (के०) कलकत्ता-5			5. श्रम प्रवर्तन अधिकारी (के०) धनबाद-5		
6. श्रम प्रवर्तन अधिकारी (के०) खडगपुर			6. श्रम प्रवर्तन अधिकारी (के०) धनबाद-6		
7. श्रम प्रवर्तन अधिकारी (के०) शिमगाड़ी			7. श्रम प्रवर्तन अधिकारी (के०) कोडमा		
8. श्रम प्रवर्तन अधिकारी (के०) बाजिनिग			8. श्रम प्रवर्तन अधिकारी (के०) देहरी आन-सोन		
9. श्रम प्रवर्तन अधिकारी (के०) हुगली			9. श्रम प्रवर्तन अधिकारी (के०) कटरासगढ़		
10. श्रम प्रवर्तन अधिकारी (के०) पोर्टब्लेयर			10. श्रम प्रवर्तन अधिकारी (के०) मुजफ्फरपुर		
8. क्षेत्रीय श्रमायुक्त (केन्द्रीय) चंडीगढ़ कार्यालय			11. श्रम प्रवर्तन अधिकारी (के०) रांची		
1. श्रम प्रवर्तन अधिकारी (के०) चंडीगढ़-1	सम्पूर्ण पंजाब, हरियाणा		12. श्रम प्रवर्तन अधिकारी (के०) गिरिडीह		
2. श्रम प्रवर्तन अधिकारी (के०) चंडीगढ़-2	हिमाचल प्रदेश एवं जम्मू और कश्मीर राज्य		13. श्रम प्रवर्तन अधिकारी (के०) पाकूर		
3. श्रम प्रवर्तन अधिकारी (के०) चंडीगढ़-3	तथा चंडीगढ़ संघ राज्य क्षेत्र		14. श्रम प्रवर्तन अधिकारी (के०) हजारीबाग		
4. श्रम प्रवर्तन अधिकारी (के०) जालंधर			15. श्रम प्रवर्तन अधिकारी (के०) वधमारा		
5. श्रम प्रवर्तन अधिकारी (के०) जम्मू			16. श्रम प्रवर्तन अधिकारी (के०) बेरमाँ		
6. श्रम प्रवर्तन अधिकारी (के०) श्रीनगर			17. श्रम प्रवर्तन अधिकारी (के०) गया		
7. श्रम प्रवर्तन अधिकारी (के०) दिल्ली-2			18. श्रम प्रवर्तन अधिकारी (के०) पटना		
			19. श्रम प्रवर्तन अधिकारी (के०) चारईबासा		

1	2	3
20. श्रम प्रवर्तन अधिकारी (के)	कटिहा	सम्पूर्ण बिहार राज्य (मिहभूम जिले को छोड़कर)
21. श्रम प्रवर्तन अधिकारी (के)	बिरकुंडा	
22. श्रम प्रवर्तन अधिकारी (के)	भागलपुर	
23. श्रम प्रवर्तन अधिकारी (के)	डाल्टनगंज	
24. श्रम प्रवर्तन अधिकारी (के)	मोतीहारी	
10. क्षेत्रीय श्रमायुक्त (केन्द्रीय)	गौहाटी कार्यालय	
1. श्रम प्रवर्तन अधिकारी (के)	गौहाटी-1	सम्पूर्ण असम, त्रिपुरा, मणिपुर, नागालैंड, मेघालय अरुणाचल प्रदेश और मिजोरम राज्य
2. श्रम प्रवर्तन अधिकारी (के)	गौहाटी-2	
3. श्रम प्रवर्तन अधिकारी (के)	डिब्रुगढ़	
4. श्रम प्रवर्तन अधिकारी (के)	तेजपुर	
5. श्रम प्रवर्तन अधिकारी (के)	लुम्बाईंग	
6. श्रम प्रवर्तन अधिकारी (के)	भगरतला	
7. श्रम प्रवर्तन अधिकारी (के)	शिलांक	
11. क्षेत्रीय श्रमायुक्त (केन्द्रीय)	हैदराबाद कार्यालय	
1. श्रम प्रवर्तन अधिकारी (के)	हैदराबाद-1	सम्पूर्ण आन्ध्र प्रदेश राज्य और
2. श्रम प्रवर्तन अधिकारी (के)	हैदराबाद-2	
3. श्रम प्रवर्तन अधिकारी (के)	हैदराबाद-3	पांडिचेरी संघ राज्य का ग्रामीण क्षेत्र
4. श्रम प्रवर्तन अधिकारी (के)	हैदराबाद-4	
5. श्रम प्रवर्तन अधिकारी (के)	हैदराबाद-5	
6. श्रम प्रवर्तन अधिकारी (के)	कोठगुदाम	
7. श्रम प्रवर्तन अधिकारी (के)	विजयवाड़ा	
8. श्रम प्रवर्तन अधिकारी (के)	विशाखापत्तनम	
9. श्रम प्रवर्तन अधिकारी (के)	गुंटुर	

1	2	3
10. श्रम प्रवर्तन अधिकारी (के)	गुन्तकल	
11. श्रम प्रवर्तन अधिकारी (के)	माचेरियल	
12. श्रम प्रवर्तन अधिकारी (के)	राजामुन्दरी	
12. क्षेत्रीय श्रमायुक्त (केन्द्रीय)	जबलपुर कार्यालय	
1. श्रम प्रवर्तन अधिकारी (के)	जबलपुर-1	सम्पूर्ण मध्य प्रदेश राज्य
2. श्रम प्रवर्तन अधिकारी (के)	जबलपुर-2	
3. श्रम प्रवर्तन अधिकारी (के)	जबलपुर-3	
4. श्रम प्रवर्तन अधिकारी (के)	जबलपुर-4	
5. श्रम प्रवर्तन अधिकारी (के)	छिन्दवाड़ा	
6. श्रम प्रवर्तन अधिकारी (के)	इन्दौर	
7. श्रम प्रवर्तन अधिकारी (के)	रायपुर	
8. श्रम प्रवर्तन अधिकारी (के)	बिलासपुर	
9. श्रम प्रवर्तन अधिकारी (के)	चिरोमिरी	
10. श्रम प्रवर्तन अधिकारी (के)	सतना	
11. श्रम प्रवर्तन अधिकारी (के)	भोपाल	
12. श्रम प्रवर्तन अधिकारी (के)	जगदलपुर	
13. श्रम प्रवर्तन अधिकारी (के)	बालाघाट	
13. क्षेत्रीय श्रमायुक्त (केन्द्रीय)	कानपुर कार्यालय	
1. श्रम प्रवर्तन अधिकारी (के)	कानपुर-1	
2. श्रम प्रवर्तन अधिकारी (के)	कानपुर-2	
3. श्रम प्रवर्तन अधिकारी (के)	कानपुर-3	
4. श्रम प्रवर्तन अधिकारी (के)	बरेली	सम्पूर्ण उत्तर प्रदेश राज्य
5. श्रम प्रवर्तन अधिकारी (के)	गोरखपुर	
6. श्रम प्रवर्तन अधिकारी (के)	इलाहाबाद	
7. श्रम प्रवर्तन अधिकारी (के)	लखनऊ	
8. श्रम प्रवर्तन अधिकारी (के)	देहरादून	
9. श्रम प्रवर्तन अधिकारी (के)	झाँसी	

1	2	3	1	2	3
14. क्षेत्रीय श्रमायुक्त (के.) मद्रास कार्यालय			4. श्रम प्रवर्तन अधिकारी (के.) बडौदा	संघ राज्य क्षेत्र	
1. श्रम प्रवर्तन अधिकारी (के.) सम्पूर्ण तमिलनाडु			5. श्रम प्रवर्तन अधिकारी (के.)		
मद्रास-1			अहमदाबाद मुख्यालय		
2. श्रम प्रवर्तन अधिकारी (के.)	राज्य और पांडिचेरी		16. क्षेत्रीय श्रमायुक्त (केन्द्रीय)		
मद्रास-2	संघ राज्य (क्षेत्र यामीन)		नई दिल्ली कार्यालय		
3. श्रम प्रवर्तन अधिकारी (के.) मद्रास-3 क्षेत्र को छोड़कर)			1. श्रम प्रवर्तन अधिकारी (के.) सम्पूर्ण दिल्ली संघ राज्य		
4. श्रम प्रवर्तन अधिकारी (के.) मद्रास-4			दिल्ली-I	क्षेत्र	
5. श्रम प्रवर्तन अधिकारी (के.)			2. श्रम प्रवर्तन अधिकारी (के.)		
मद्रास-5			दिल्ली-III		
6. श्रम प्रवर्तन अधिकारी (के.) त्रिची			3. श्रम प्रवर्तन अधिकारी (के.)		
7. श्रम प्रवर्तन अधिकारी (के.) कोयम्बटूर			नई दिल्ली मुख्यालय		
8. श्रम प्रवर्तन अधिकारी (के.) मदुराई			17. क्षेत्रीय श्रमायुक्त (केन्द्रीय)		
9. श्रम प्रवर्तन अधिकारी (के.) सलेम			कोचीन कार्यालय		
10. श्रम प्रवर्तन अधिकारी (के.) पांडिचेरी			1. श्रम प्रवर्तन अधिकारी (के.)		
11. श्रम प्रवर्तन अधिकारी (के.) तूताकोरीन			एरानाकुलम	सम्पूर्ण केरला राज्य और	
15. क्षेत्रीय श्रमायुक्त (केन्द्रीय) अमहवाबाद कार्यालय			2. श्रम प्रवर्तन अधिकारी (के.)	लक्षद्वीप संघ राज्य क्षेत्र	
1. श्रम प्रवर्तन अधिकारी (के.) अहमदाबाद			दिवेन्द्रम		
2. श्रम प्रवर्तन अधिकारी (के.) राजकोट सम्पूर्ण गुजरात			3. श्रम प्रवर्तन अधिकारी (के.)		
3. श्रम प्रवर्तन अधिकारी (के.) आदिपुर राज्य और दादरा			कोचीन मुख्यालय		
और नागर हवेली का					

[संख्या एस-11025/1/86-आई-टी सी एल एस-II]

राम कनुगा, अवसर सचिव

New Delhi, the 27th October, 1988

S. O. 3417-In exercise of the powers conferred by section 39 of the Industrial Disputes Act, 1947 (14 of 1947), and in supersession of the notification of the Government of India, Ministry of Labour No. S.O.728 dated 3-3-87 except in respect of things done or omitted to have been done before such supersession, the Central Government hereby directs that the power exercisable by it under sub-section(1) of section 34 of the said Act, shall, in respect of the offences punishable under section 26, 27, 28 and 29 of that Act be exercisable also by the officers mentioned in column 2 of the Table annexed hereto in the area specified in the corresponding entry in column 3 of the said table.

TABLE

Sl. No.	Designation of Officers	Territorial jurisdiction
1	2	3
I	Chief Labour Commissioner (Central) Headquarters	
1.	Labour Enforcement Officer, New Delhi-I	Whole of India
2.	Labour Enforcement Officer, New Delhi-II	
3.	Labour Enforcement Officer, New Delhi-III	
II.	Regional Labour Commissioner (Central) Ajmer Office	
1.	Labour Enforcement Officer (Central), Ajmer-I	Whole of Rajasthan State
2.	Labour Enforcement Officer (Central), Ajmer-II	
3.	Labour Enforcement Officer (Central), Ajmer-III	
4.	Labour Enforcement Officer (Central), Ajmer-IV	
5.	Labour Enforcement Officer (Central), Bhilwara	
6.	Labour Enforcement Officer (Central), Jodhpur	
7.	Labour Enforcement Officer (Central), Kota	
8.	Labour Enforcement Officer (Central), Jaipur	
9.	Labour Enforcement Officer (Central), Bikaner	
10.	Labour Enforcement Officer (Central), Udaipur	
11.	Labour Enforcement Officer (Central), Swainmadhopur	

SCHEDULE

1	2	3
III. Regional Labour Commissioner (Central) Asansol Office		
1. Labour Enforcement Officer (Central) Asansol-I	}	The Districts of Burdwan, Birbhum, Bankura and Purulia in the State of West Bengal.
2. Labour Enforcement Officer (Central) Asansol-II		
3. Labour Enforcement Officer (Central) Asansol-III		
4. Labour Enforcement Officer (Central) Asansol-IV		
5. Labour Enforcement Officer (Central) Neamatpur		
6. Labour Enforcement Officer (Central) Ukhra		
7. Labour Enforcement Officer (Central) Reniganj		
8. Labour Enforcement Officer (Central) Bankura		
IV. Regional Labour Commissioner (Central) Bangalore Office		
1. Labour Enforcement Officer (Central) Bangalore-I	}	Whole of Karnataka State.
2. Labour Enforcement Officer (Central) Bangalore-II		
3. Labour Enforcement Officer (Central) Bangalore-III		
4. Labour Enforcement Officer (Central) Mangalore		
5. Labour Enforcement Officer (Central) Chitradurga		
6. Labour Enforcement Officer (Central) Gulbarga		
7. Labour Enforcement Officer (Central) K.G.F.		
8. Labour Enforcement Officer (Central) Hubli		
9. Labour Enforcement Officer (Central) Bellary		
10. Labour Enforcement Officer (Central) Kundramukh		
V. Regional Labour Commissioner (Central) Bhubaneswar Office		
1. Labour Enforcement Officer (Central) Bhubaneswar-I	}	Whole of Orissa State and Singhbhum District of Bihar.
2. Labour Enforcement Officer (Central) Bhubaneswar-II		
3. Labour Enforcement Officer (Central) Bhubaneswar-III		
4. Labour Enforcement Officer (Central) Titlagarh		
5. Labour Enforcement Officer (Central) Barbil		
6. Labour Enforcement Officer (Central) Rourkela		
7. Labour Enforcement Officer (Central) Paradeep		
VI. Regional Labour Commissioner (Central) Bombay Office		
1. Labour Enforcement Officer (Central) Bombay-I	}	Whole of Maharashtra and Goa States and Union Territory of Daman and Diu.
2. Labour Enforcement Officer (Central) Bombay-II		
3. Labour Enforcement Officer (Central) Bombay-III		
4. Labour Enforcement Officer (Central) Bombay-IV		
5. Labour Enforcement Officer (Central) Bombay-V		
6. Labour Enforcement Officer (Central) Bombay-VI		
7. Labour Enforcement Officer (Central) Bombay-VII		
8. Labour Enforcement Officer (Central) Bombay-VIII		
9. Labour Enforcement Officer (Central) Pune		
10. Labour Enforcement Officer (Central) Bhusawal		
11. Labour Enforcement Officer (Central) Nagpur		
12. Labour Enforcement Officer (Central) Chandrapur		
13. Labour Enforcement Officer (Central) Ponda		
14. Labour Enforcement Officer (Central) Vasco-dagama		
15. Labour Enforcement Officer (Central) Sangli		
16. Labour Enforcement Officer (Central) Nasik		
17. Labour Enforcement Officer (Central) Sholapur		
VII. Regional Labour Commissioner (Central) Calcutta Office		
1. Labour Enforcement Officer (Central) Calcutta-I	}	Whole of West Bengal State (Excluding the Districts of Burdwan, Birbhum, Bankura and Purulia)
2. Labour Enforcement Officer (Central) Calcutta-II		
3. Labour Enforcement Officer (Central) Calcutta-III		
4. Labour Enforcement Officer (Central) Calcutta-IV		
5. Labour Enforcement Officer (Central) Calcutta-V		
6. Labour Enforcement Officer (Central) Kharagpur		
7. Labour Enforcement Officer (Central) Siliguri		
8. Labour Enforcement Officer (Central) Darjeeling		
9. Labour Enforcement Officer (Central) Hoogly		
10. Labour Enforcement Officer (Central) Port-Blair		

1

2

3

VIII. Regional Labour Commissioner (Central)

Chandigarh Office

1. Labour Enforcement Officer (Central) Chandigarh-I

2. Labour Enforcement Officer (Central) Chandigarh-II

3. Labour Enforcement Officer (Central) Chandigarh-III

4. Labour Enforcement Officer (Central) Jalandhar

5. Labour Enforcement Officer (Central) Jammu

6. Labour Enforcement Officer (Central) Srinagar

7. Labour Enforcement Officer (Central) Delhi-II

8. Labour Enforcement Officer (Central) Shimla

9. Labour Enforcement Officer (Central) Faridabad

Whole of Punjab Haryana, Himachal Pradesh and Jammu & Kashmir State and Union Territory of Chandigarh.

IX. Regional Labour Commissioner (Central)

Dhanbad Office

1. Labour Enforcement Officer (Central) Dhanbad-I

2. Labour Enforcement Officer (Central) Dhanbad-II

3. Labour Enforcement Officer (Central) Dhanbad-III

4. Labour Enforcement Officer (Central) Dhanbad-IV

5. Labour Enforcement Officer (Central) Dhanbad-V

6. Labour Enforcement Officer (Central) Dhanbad-VI

7. Labour Enforcement Officer (Central) Koderma

8. Labour Enforcement Officer (Central) Dheri-on-Sone

9. Labour Enforcement Officer (Central) Khatra-garh

10. Labour Enforcement Officer (Central) Muzzaffarpur

11. Labour Enforcement Officer (Central) Ranchi

12. Labour Enforcement Officer (Central) Giridih

13. Labour Enforcement Officer (Central) Pakur

14. Labour Enforcement Officer (Central) Hazaribagh

15. Labour Enforcement Officer (Central) Bghmura

16. Labour Enforcement Officer (Central) Bermo

17. Labour Enforcement Officer (Central) Gaya

18. Labour Enforcement Officer (Central) Patna

19. Labour Enforcement Officer (Central) Chaibasa

20. Labour Enforcement Officer (Central) Katihar

21. Labour Enforcement Officer (Central) Chirkunda

22. Labour Enforcement Officer (Central) Bhagalpur

23. Labour Enforcement Officer (Central) Daltonganj

24. Labour Enforcement Officer (Central) Motihari.

Whole of Bihar State (excluding Singhbhum District.).

X. Regional Labour Commissioner (Central)

Guwahati Office

1. Labour Enforcement Officer (Central) Gauhati-I

2. Labour Enforcement Officer (Central) Gauhati-II

3. Labour Officer (Central) Dibrugarh

4. Labour Enforcement Officer (Central) Tezpur

5. Labour Enforcement Officer (Central) Lumding

6. Labour Enforcement Officer (Central) Agartala

7. Labour Enforcement Officer (Central) Shillong

Whole of Assam Tripura, Manipur Nagaland, Meghalaya, Arunachal Pradesh & Mizoram States..

XI. Regional Labour Commissioner (Central)

Hyderabad.

1. Labour Enforcement Officer (Central) Hyderabad-I

2. Labour Enforcement Officer (Central) Hyderabad-II

3. Labour Enforcement Officer (Central) Hyderabad-III

4. Labour Enforcement Officer (Central) Hyderabad-IV

5. Labour Enforcement Officer (Central) Hyderabad-V

6. Labour Enforcement Officer (Central) Kothagudem

7. Labour Enforcement Officer (Central) Vijayawada

8. Labour Enforcement Officer (Central) Visakhapatnam

9. Labour Enforcement Officer (Central) Gudur

10. Labour Enforcement Officer (Central) Guntakal

11. Labour Enforcement Officer (Central) Mancherial

12. Labour Enforcement Officer (Central) Rajamundri

Whole of Andhra Pradesh State and "Yanam" Territory of Union Territory of Pondicherry.

XII. Regional Labour Commissioner (Central)

Jabalpur Office

1. Labour Enforcement Officer (Central) Jabalpur-I

2. Labour Enforcement Officer (Central) Jabalpur-II

3. Labour Enforcement Officer (Central) Jabalpur-III

4. Labour Enforcement Officer (Central) Jabalpur-IV

5. Labour Enforcement Officer (Central) Chhindwara

6. Labour Enforcement Officer (Central) Indore

7. Labour Enforcement Officer (Central) Raipur

8. Labour Enforcement Officer (Central) Bilaspur

9. Labour Enforcement Officer (Central) Chirmiri

10. Labour Enforcement Officer (Central) Satna

11. Labour Enforcement Officer (Central) Bhopal

12. Labour Enforcement Officer (Central) Jagdalpur

13. Labour Enforcement Officer (Central) Balaghat

Whole of Madhya Pradesh State.

XIII. Regional Labour Commissioner(C)

Kanpur Office

1. Labour Enforcement Officer (Central) Kanpur-I
2. Labour Enforcement Officer (Central) Kanpur-II
3. Labour Enforcement Officer (Central) Kanpur-III
4. Labour Enforcement Officer (Central) Bareilly
5. Labour Enforcement Officer (Central) Gorakhpur
6. Labour Enforcement Officer (Central) Allahabad
7. Labour Enforcement Officer (Central) Lucknow
8. Labour Enforcement Officer (Central) Dehradun
9. Labour Enforcement Officer (Central) Jhansi

Whole of Uttar Pradesh State.

XIV. Regional Labour Commissioner (Central)

Madras Office

1. Labour Enforcement Officer (Central) Madras-I
2. Labour Enforcement Officer (Central) Madras-II
3. Labour Enforcement Officer (Central) Madras-III
4. Labour Enforcement Officer (Central) Madras-IV
5. Labour Enforcement Officer (Central) Madras-V
6. Labour Enforcement Officer (Central) Trichy
7. Labour Enforcement Officer (Central) Coimbatore
8. Labour Enforcement Officer (Central) Madurai
9. Labour Enforcement Officer (Central) Salem
10. Labour Enforcement Officer (Central) Pondicherry
11. Labour Enforcement Officer (Central) Tuticorin

Whole of Tamil Nadu State and Union Territory of Pondicherry except "Yanam".

XV. Regional Labour Commissioner (Central)

Ahmedabad

1. Labour Enforcement Officer (Central) Ahmedabad
2. Labour Enforcement Officer (Central) Rajkot
3. Labour Enforcement Officer (Central) Adipur
4. Labour Enforcement Officer (Central) Barda
5. Labour Enforcement Officer (Central) Hqrs. Ahmedabad.

Whole of Gujarat State and Union Territory of Dadra & Nagar Haveli.

XVI. Regional Labour Commissioner (Central)

New Delhi Office

1. Labour Enforcement Officer (Central) Delhi-I
2. Labour Enforcement Officer (Central) Delhi-III
3. Labour Enforcement Officer (Central) Hqrs. New Delhi.

Whole of Union Territory of Delhi.

XVII. Regional Labour Commissioner (Central)

Cochin Office

1. Labour Enforcement Officer (Central) Ernakulam
2. Labour Enforcement Officer (Central) Trivandrum
3. Labour Enforcement Officer (Central) Hqrs. Cochin

Whole of Kerala State and Union Territory of Lakshadweep.

[No. S-11025/1/86-II-CLS-II]

RAM KANUGA, Under Secy.

नई दिल्ली, 28 अक्टूबर, 1988

का.अ. 3418:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सेन्ट्रल सिल्क बोर्ड के प्रबन्धन से सम्बन्धित नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलोर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

New Delhi, the 28th October, 1988

S.O. 3418.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore, as shown in the Annexure, in the Industrial Tribunal, Bangalore, as shown in the Annexure, in the industrial dispute between the employers in relation to the Management of Central Silk Board and

their workmen, which was received by the Central Government.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT BANGALORE

Dated 3rd October, 1988

PRESENT :

Shri B. N. Ladge, B.A. (Hons.) LL.B.

Presiding Officer.

CENTRAL REFERENCE No. 23/88

I PARTY

S/Shri Shamu, Peon,
Yallaki Goda,
Lab. Attendant & H Narayanaswamy,
Senior Field-cum-Lab. Assistant
Rep. by the President Central Silk Board

Employees' Union.
No. 17/1, 13th Cross Road,
Mahalaxmipuram, Bovipalya,
Bangalore-560086.

II PARTY

The Member-Secretary,
Central Silk Board,
Mahatma Gandhi Road,
Bangalore-560001

APPEARANCES :

For the I party.—Shri B. N. Vijayakumar
President of the CSB Employees' Union.

For the II party.—Shri R. Gururajan, Advocate.

AWARD

By exercising its powers under Section 10(1)(d) and (2A) of the I.D. Act 1947, the Government of India, Ministry of Labour has made the present reference on the following point of dispute by its order No. L-42011/43/86-D.II(B) dated 25th May, 1988.

POINT OF REFERENCE

"Is the management of Central Silk Board justified in transferring S/Shri Shamu, Peon and Yallaki Goda, Lab. Attendant, C.S.R.T.L., Mysore to Kote, Rajasthan and Shri H. Narayanaswamy, Senior Field-cum-Lab. Assistant 8 times to different places within a span of 8 years time? If not, to what relief the 3 workmen are entitled?"

2. On receipt of the reference, notices were issued to the parties. On 15-6-1988, Shri B. N. Vijayakumar, President of the Union filed his authorisation for the I party. Thereafter, the matter was adjourned to 24-6-1988, 7-7-1988 and 18-7-1988. On all these occasions, the I party has been absent. On 18-7-1988, the right to file the claim statement by the I party was forfeited. The II party was called upon to file its statement and produce evidence by affidavit.

3. Thereafter, the matter was again adjourned to 27-7-1988, 1-8-1988, 8-8-1988 and 10-8-1988. Still then the I party has remained absent and no attempt has been made to prosecute the matter. On 10-8-1988, the II party has filed its statement, the affidavit of one Shri G. Prem Kumar and the learned counsel for the II party was heard.

4. My finding on the point of reference is as follows :

The I party has not proved that the dispute is an industrial dispute. The II party has proved that their workmen, presently, have no grievance.

REASONS

5. In the statement filed by the II party, it has been contended in Para 5 that appreciable number of workmen of the II party have not supported the cause of these three workmen and there is no proper espousal and that it is not an industrial dispute under Section 2(k) of the I.D. Act. The burden of proving that it is an industrial dispute and that appreciable

number of the workmen of the II party have supported the cause and that the I party Union is competent to espouse the dispute lies on the I party, but the I party has been absent and no evidence has been produced to establish these points. On the other hand, the affidavit of Prem Kumar filed for the II party shows that the grievances of these three workmen is not supported by appreciable number of the workmen of the industry and that it is not an industrial dispute. There is nothing to contradict the said statement. A finding thus emerges that it is not an industrial dispute.

6. The Affidavit of Prem Kumar shows that Shamu, Peon is now working in Mysore and Yalakki Gowda is now working in Dharampura, Hunsur Taluk, Mysore District. It is further sworn by him that both these workmen have reported to their respective places on 20-2-1986 and 1-6-1985 respectively. His affidavit further indicates that Shri H. Narayanaswamy is now working at Hosur which is close by to Bangalore. The xerox copies of the joining reports of these three persons have been produced along with the affidavit. They substantiate his affidavit. The II party has established by satisfactory evidence that it is not an industrial dispute and secondly that the three workmen have no more grievance. The reference is liable to be rejected.

7. In the result, an award is passed to the effect that the dispute is not an industrial dispute and secondly, the three workmen have no more grievance and that they are not entitled to any relief.

B. N. LALGE, Presiding Officer

[No. L-42011/43/86-D.II(B)]

का. आ. 3419:—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल सिल्क बोर्ड के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-10-88 को प्राप्त हुआ था।

S.O. 3419.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Silk Board and their workmen, which was received by the Central Government on the 21-10-1988

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT BANGALORE

Dated the 17th October, 1988

PRESENT :

Shri B. N. Lalge, B.A. (Hons) LL.B. Presiding Officer.

Central Reference No. 32/88

I PARTY

Shri Sakappa,
Rep. by the President,
Central Silk Board Employees Union,
17/1, 13th Cross Road,
Mahalakshmpuram,
Pouripalya,
Bangalore-560086.

Vs.**II PARTY**

The Member Secretary,
Central Silk Board
United Mansion,
Mahatma Gandhi Road,
Bangalore-560001.

APPEARANCES

For the I party.—No Representation.

For the II party.—Shri N. Gururajan, Advocate.

AWARD

By exercising its powers under section 10(1)(d) of the Industrial Disputes Act, the Government of India, Ministry of Labour has made the present reference on the following point of dispute by its order No. L-42012/178/86-D.II(B) dated 26-7-1988.

POINT OF REFERENCE

"Is the management of Central Silk Board justified in transferring Sri Sakappa, Assistant from their office in Bangalore to Central Tasar Research and Training Institute, Ranchi, Bihar? If not, to what relief the workman is entitled?"

2. Notices have been duly served on the first party workman. He has sent a letter dated 9-9-1988 stating

that without his knowledge, some body has put forth the case to spoil his future and that he does not know anything about the case and he is not interested to prosecute the same.

3. The second party has filed its statement and has adduced evidence by filing an affidavit of one Shivakumar.

4. The learned counsel for the second party has been heard.

5. In the statement filed by the second party it has been stated that the service of Sakappa had been terminated for the misconduct of tempering with the official record, but in the appeal, the appellate authority considered his record and reinstated him and he was transferred to Mulugal in Andhra Pradesh. It is further stated that he has already reported to duty on 26-2-1988 and that his transfer prior to the order of termination of services cannot be a subject matter of reference and that there is no justification for contending that the transfer was not correct. In the affidavit of Sri Shivakumar the employee working in the Law section all these statements, made in the counter statement of the second party, have been confirmed. The second party has proved that there is no existing dispute regarding transfer of Sakappa to Ranchi. The letter of Sakappa discloses that he has no grievance at all. The reference is thus liable to be closed, having become infructuous.

6. In the result, an award is passed to the effect that the dispute regarding transferring of Sri Sakappa Assistant from their office to Central Tasar Research and Training Institute, Ranchi; does not exist and the reference stands closed.

B. N. LALGE, Presiding Officer

[No. L-42012/178/86-D.II(B)]

HARI SINGH, Desk Officer